

By: Davis of Dallas

H.B. No. 734

A BILL TO BE ENTITLED

AN ACT

relating to infection rates at health-care facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle D, Title 2, Health and Safety Code, is amended by adding Chapter 96 to read as follows:

CHAPTER 96. HEALTH-CARE ASSOCIATED INFECTION RATES

Sec. 96.001. DEFINITIONS. In this chapter:

(1) "Department" means the Department of State Health Services.

(2) "Health-care facility" means a public or private general or special hospital licensed under Chapter 241, including a hospital that is owned or operated by the state, an ambulatory surgical center licensed under Chapter 243, or a physician's office.

(3) "Health-care associated infection" means a localized or symptomatic condition resulting from an adverse reaction to an infectious agent or its toxins that was not present or incubating at the time of admission to, or services were initially provided by, the health-care facility.

Sec. 96.002. COLLECTION OF HEALTH-CARE ASSOCIATED INFECTION RATE DATA. (a) Each health-care facility shall report the health-care associated infection rate for that health-care facility to the department.

(b) The report shall be made at the times directed by the

1 department, but at least quarterly.

2 (c) The department shall prescribe the form of the report to
3 be made under this section.

4 Sec. 96.003. ANNUAL INFORMATION REPORTS. (a) The
5 department shall prepare an annual information report on
6 health-care associated infection rates in health-care facilities
7 in this state for distribution to the public.

8 (b) The department shall include in the annual information
9 report any information that the department determines would be
10 helpful to individuals in evaluating health-care facilities based
11 on the health-care associated infection rate, including
12 information relating to the types of patients treated by the
13 health-care facility and the source of infection. The department
14 may require each health-care facility to report additional
15 information necessary for the department to comply with this
16 subsection.

17 Sec. 96.004. PUBLIC INFORMATION; CONFIDENTIALITY. (a)
18 Except as provided by Subsection (b), information reported to the
19 department under Section 96.002 is public information.

20 (b) The department may not release any information under
21 this chapter that could reasonably be expected to reveal the
22 identity of a patient or that reveals the zip code of a patient's
23 primary residence.

24 Sec. 96.005. PUBLICATION OF HEALTH-CARE ASSOCIATED
25 INFECTION RATES. The department shall publish health-care
26 associated infection rate information for each health-care
27 facility in this state on the department's Internet website.

1 SECTION 2. The executive commissioner of the Health and
2 Human Services Commission shall adopt any rules necessary to
3 implement Chapter 96, Health and Safety Code, as added by this Act,
4 not later than January 1, 2006, and shall require submission of the
5 initial reports required to be made under that chapter not later
6 than May 1, 2006.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2005.