

Amend CSSB 439 in SECTION 5 of the bill, strike amended Subsection (b), Section 166.046, Health and Safety Code (Senate committee printing, page 2, line 40 through page 3, line 18), and substitute the following:

(b) On receipt of a request for a meeting of the ethics or medical committee as described in Subsection (a-2) [~~The patient or the person responsible for the health care decisions of the individual who has made the decision regarding the directive or treatment decision~~]:

(1) not later than the seventh calendar day before the date of the meeting requested under Subsection (a-2), unless the time period is waived by mutual agreement, the surrogate shall:

(A) be offered [~~may be given~~] a written description of the ethics or medical committee review process and may be offered any other policies and procedures related to this section adopted by the health care facility;

(B) be provided information that the surrogate is entitled to receive the continued assistance of a patient liaison to assist the surrogate throughout the process described in this section;

(C) be provided information that the surrogate may seek a second opinion from other medical professionals regarding the patient's medical status and treatment requirements and communicate the resulting information to the members of the ethics or medical committee for consideration before the meeting;

(D) [~~(2) shall be informed of the committee review process not less than 48 hours before the meeting called to discuss the patient's directive, unless the time period is waived by mutual agreement,~~

~~(3) at the time of being so informed, shall] be provided[+]~~

~~(A)]~~ a copy of the appropriate statement set forth in Section 166.052; and

(E) be provided [~~(B)]~~ a copy of the registry list of health care providers, health care facilities, and referral groups that have volunteered their readiness to consider accepting transfer or to assist in locating a provider willing to accept

transfer that is posted on the website maintained by the department
[Texas Health Care Information Council] under Section 166.053; and

(2) if requested in writing by the surrogate, the surrogate is entitled to receive:

(A) not later than 72 hours after the request is made, a free copy of the portion of the patient's medical record related to the current admission to the facility or the treatment received by the patient during the preceding 30 calendar days in the facility, whichever is shorter, together with requested diagnostic results and reports reasonably requested by the surrogate; and

(B) not later than the fifth calendar day after the date of the request, a free copy of the remainder of the patient's medical record, if any, related to the current admission to the facility.