

## **BILL ANALYSIS**

C.S.S.B. 204  
By: Nelson  
Public Health  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Existing law requires persons administering vaccinations to children under eighteen years of age to report them to the Department of State Health Services (DSHS). Reporting of vaccinations to the registry helps protect children against childhood diseases. The purpose of this legislation is to assist those persons administering immunizations or entities that manage records for those persons who wish to report their information electronically to the state's immunization registry.

C.S.S.B. 204 requires vendors selling, leasing, or providing an electronic medical record software packages or systems to a person who administers immunizations within the state or to an entity who manages records for the person provide, as part of that package or system, one that has an ability to electronically interface and generate electronic reports containing the fields necessary to populate the state's immunization registry.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission (HHSC) in SECTION 1 of this bill.

### **ANALYSIS**

CSSB 204 requires a person who sells, leases, or otherwise provides an electronic medical records software package or system to a person who administers immunizations in this state, or to an entity that manages records for the person, to provide, as part of the electronic medical records software package or system, the ability to electronically interface with the immunization registry and generate electronic reports that contain the fields necessary to populate the immunization registry. The bill provides the data standards must be compatible with the certain standards for immunization information transmission. The bill defines "electronic medical records software package or system" and "medical records."

CSSB 204 requires the executive commissioner of HHSC (executive commissioner), by rule, to specify the fields necessary to populate the immunization registry and the data standards that must be used for electronic submission of immunization information.

CSSB 204 authorizes the attorney general to bring a suit on behalf of the state to enjoin violations of Section 161.0107, Health and Safety Code, and if the state prevails, to recover reasonable attorney's fees, court costs, and reasonable investigative costs arising out of the suit. The bill provides that the change in law made by the Act applies only to those causes of action that accrue on or after the effective date of rules adopted by the executive commissioner.

### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, and if it does not, then this Act takes effect on September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute modifies the original by adding definitions for "electronic medical records software package or system" and "medical records." The original bill authorized the executive commissioner, by rule, to specify the fields necessary to populate the immunization registry, where the substitute requires the executive commissioner, by rule, to specify the fields necessary

to populate the immunization registry and the data standards that must be used for the electronic submission of immunization information. The substitute adds language to specify the data standards must be compatible with the certain standards for immunization information transmission. It also adds a provision stating that the change in law made by the Act applies only to cause of action that accrues on or after the effective date of the rules the executive commissioner adopts.