

1-1 By: Alonzo (Senate Sponsor - Zaffirini) H.B. No. 246
1-2 (In the Senate - Received from the House March 29, 2007;
1-3 April 3, 2007, read first time and referred to Committee on Health
1-4 and Human Services; May 4, 2007, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 8,
1-6 Nays 0; May 4, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 246 By: Zaffirini

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to reports on cases of acquired immune deficiency syndrome
1-11 and human immunodeficiency virus infection.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 81.043, Health and Safety Code, is
1-14 amended by amending Subsection (b) and adding Subsections (c) and
1-15 (d) to read as follows:

1-16 (b) Except as provided by Subsection (c), a [A] health
1-17 authority shall report reportable diseases to the department's
1-18 central office at least as frequently as the interval set by board
1-19 rule.

1-20 (c) A health authority each week shall report to the
1-21 department's central office all cases reported to the authority
1-22 during the previous week of:

1-23 (1) acquired immune deficiency syndrome; and

1-24 (2) human immunodeficiency virus infection.

1-25 (d) A health authority must include in a report filed under
1-26 Subsection (c) all information required by the department for
1-27 purposes of this section or other law, including:

1-28 (1) an infected person's city and county of residence,
1-29 age, gender, race, ethnicity, and national origin; and

1-30 (2) the method by which the disease was transmitted.

1-31 SECTION 2. Section 81.044, Health and Safety Code, is
1-32 amended by adding Subsection (d) to read as follows:

1-33 (d) For a case of acquired immune deficiency syndrome or
1-34 human immunodeficiency virus infection, the department shall
1-35 require the reports to contain:

1-36 (1) the information described by Subsection (b); and

1-37 (2) the patient's ethnicity, national origin, and city
1-38 and county of residence.

1-39 SECTION 3. Section 81.052, Health and Safety Code, is
1-40 amended by amending Subsection (b) and adding Subsections (b-1),
1-41 (b-2), and (b-3) to read as follows:

1-42 (b) The department shall:

1-43 (1) quarterly compile the information submitted under
1-44 Section 81.043(c) and make the compiled data available to the
1-45 public within six months of the last day of each quarter;

1-46 (2) annually [~~regularly~~] analyze and determine trends
1-47 in incidence and prevalence of AIDS and HIV infection by region,
1-48 city, county, age, gender, race, ethnicity, national origin,
1-49 transmission category, and other factors as appropriate; and

1-50 (3) annually prepare a report on the analysis
1-51 conducted under Subdivision (2) and make the report available to
1-52 the public.

1-53 (b-1) The department may not include any information that
1-54 would allow the identification of an individual in an analysis
1-55 conducted under Subsection (b) or in a report prepared under that
1-56 subsection.

1-57 (b-2) Not later than January 1, 2009, the department shall
1-58 prepare and submit to both houses of the legislature a report that:

1-59 (1) addresses emerging technologies and advancements
1-60 in AIDS and HIV infection surveillance and epidemiology, including
1-61 the use of the technologies and advancements to improve the testing
1-62 for and reporting of AIDS and HIV infection; and

1-63 (2) makes recommendations regarding this state's use

of the emerging technologies and advancements to enhance surveillance, treatment, and prevention of AIDS and HIV infection.

(b-3) Subsection (b-2) and this subsection expire September 1, 2009.

SECTION 4. (a) Not later than January 1, 2008, the executive commissioner of the Health and Human Services Commission shall adopt the rules and procedures necessary to comply with Chapter 81, Health and Safety Code, as amended by this Act.

(b) Notwithstanding Sections 81.043, 81.044, and 81.052, Health and Safety Code, as amended by this Act, a health authority and the Department of State Health Services are not required to comply with the changes in law made to these sections before January 1, 2008.

SECTION 5. This Act takes effect September 1, 2007.

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