

By: Miller

H.B. No. 2921

A BILL TO BE ENTITLED

AN ACT

relating to an annual report on hospital infection rates.

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

SECTION 1. Subchapter D, Chapter 1001, Health and Safety Code, is amended by adding Section 1001.076 to read as follows:

Sec. 1001.076. INFECTION RATES. (a) To protect the public health and safety, the executive commissioner shall adopt rules and procedures requiring hospitals licensed under Chapter 241, and any other health care facility that the executive commissioner requires by rule to comply with this section, to annually publish and make available to the public a report on hospital infection rates. In adopting the rules, the executive commissioner shall:

(1) determine the infections that must be reported and the procedures for documenting and maintaining a record of the infection rates for the annual report;

(2) determine the health care facilities that must report the infections;

(3) establish the methods a health care facility is required to use in making the report available to the public;

(4) determine the sanctions and penalties a health care facility is subject to for failing to comply with the reporting requirements; and

(5) provide any other procedures or rules the executive commissioner considers necessary for implementing this

1 section.

2 (b) A hospital, and any other health care facility required  
3 by rule to report under this section, must file a copy of the report  
4 with the department not later than January 31 of each year on the  
5 infection rates at the hospital or facility during the previous  
6 year.

7 (c) In a report provided under Subsection (b), a hospital or  
8 health care facility may not individually identify any patient or  
9 health care professional. Any information collected by a hospital  
10 or health care facility that individually identifies a patient or  
11 health care professional is confidential and not subject to  
12 disclosure under Chapter 552, Government Code, is not subject to  
13 subpoena, and may not otherwise be released or made public except as  
14 provided by rules adopted under this section.

15 SECTION 2. The executive commissioner of the Health and  
16 Human Services Commission shall adopt the rules necessary to  
17 implement Section 1001.076, Health and Safety Code, as added by  
18 this Act, not later than January 1, 2008.

19 SECTION 3. This Act takes effect September 1, 2007.