

By: Nelson

S.B. No. 41

A BILL TO BE ENTITLED

AN ACT

relating to the disaster-related responsibilities of certain state agencies in health care.

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

SECTION 1. Subchapter C, Chapter 418, Government Code, is amended by adding Section 418.049 to read as follows:

Sec. 418.049. TRACKING SYSTEM. (a) The division shall develop and adopt a statewide emergency management tracking system to assist agencies in the coordination of emergency evacuations.

(b) A system adopted under this section must:

(1) permit emergency management agencies of this state and political subdivisions of this state to post and view information;

(2) permit patient tracking during an emergency evacuation;

(3) include pertinent data on evacuees, including:

(A) whether an evacuee is a known criminal or sex offender;

(B) whether an evacuee has any injuries or medical conditions; and

(C) the number of evacuees an emergency evacuation shelter or other facility should expect to receive, as well as an expected time of arrival; and

(4) maintain updated information on emergency

1 evacuation shelters and other facilities, including:

2 (A) the capability of a shelter or facility to  
3 provide appropriate services to certain evacuees, such as the  
4 elderly, the disabled, or other evacuees with special needs; and

5 (B) the number of openings available at the  
6 shelter or facility.

7 (c) The division shall integrate emergency management  
8 tracking systems maintained by political subdivisions of this state  
9 with the system developed by the division under this section. A  
10 political subdivision that maintains such a tracking system shall  
11 cooperate with the division as necessary to comply with this  
12 subsection.

13 SECTION 2. Subtitle B, Title 9, Health and Safety Code, is  
14 amended by adding Chapter 782 to read as follows:

15 CHAPTER 782. HEALTH CARE DISASTER PREPAREDNESS

16 SUBCHAPTER A. GENERAL PROVISIONS

17 Sec. 782.001. DEFINITIONS. In this chapter:

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

20 (2) "Disaster" has the meaning assigned by Section  
21 418.004, Government Code.

22 Sec. 782.002. RULES. The executive commissioner of the  
23 Health and Human Services Commission may adopt rules necessary to  
24 implement this chapter.

25 [Sections 782.003-782.050 reserved for expansion]

26 SUBCHAPTER B. DISASTER PREPAREDNESS

27 Sec. 782.051. PATIENT EVACUATION STANDARDS. (a) The

1 department shall develop standards for the transfer of pertinent  
2 medical information of a patient who has been admitted to a facility  
3 or is homebound and who is evacuating because of a disaster.

4 (b) Standards developed under this section must address a  
5 variety of facilities that admit patients, including hospitals,  
6 nursing homes, group homes, and mental health facilities.

7 Sec. 782.052. CONTINUITY OF OPERATIONS PLANS. (a) The  
8 department, in cooperation with the division of emergency  
9 management in the office of the governor, shall develop continuity  
10 of operations plans to address essential department functions in  
11 the event of a disaster, including:

- 12 (1) delegation of authority within the department;
- 13 (2) orders of succession within the department; and
- 14 (3) designation of alternate department facilities.

15 (b) The department shall ensure that a continuity of  
16 operations plan developed under this section is adequately tested  
17 and shall conduct training and other exercises in the  
18 implementation of the plan.

19 Sec. 782.053. VOLUNTEER PLACEMENT. The department, in  
20 conjunction with stakeholders and organizations that possess  
21 volunteer lists, shall develop a method for placing volunteer  
22 licensed health care professionals with appropriate service  
23 providers to address health care needs in the event of a disaster.

24 Sec. 782.054. RESOURCE PLACEMENT. (a) The department, in  
25 conjunction with stakeholders, shall develop a protocol for the  
26 distribution of health care resources, including locally held  
27 assets, in the event of a disaster.

1       (b) In preparing for a disaster, the department shall  
2 evaluate the cost and benefit of pre-positioning medical supplies  
3 and other items geographically throughout the state.

4       Sec. 782.055. EVACUATION OF SPECIAL NEEDS POPULATION. The  
5 department shall, in conjunction with stakeholders, develop  
6 protocols to be implemented to facilitate the emergency evacuation  
7 of individuals with special needs.

8       SECTION 3. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2007.