

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Alonzo

H.B. No. 246

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

(1) acquired immune deficiency syndrome; and

(2) human immunodeficiency virus infection.

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

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

(2) the method by which the disease was transmitted.

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

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

- 4                   (1) the information described by Subsection (b); and  
5                   (2) the patient's ethnicity, national origin, and city  
6 and county of residence.

7           SECTION 3. Section 81.052, Health and Safety Code, is  
8 amended by amending Subsection (b) and adding Subsection (b-1) to  
9 read as follows:

10           (b) The department annually shall:

11                   (1) compile the information submitted under Section  
12 81.043(c) and [~~routinely~~] analyze and determine trends in incidence  
13 and prevalence of AIDS and HIV infection by region, city, county,  
14 age, gender, race, ethnicity, national origin, transmission  
15 category, and other factors as appropriate; and

16                   (2) prepare a report on the analysis conducted under  
17 Subdivision (1) and make the report available to the public.

18           (b-1) The department may not include any information that  
19 would allow the identification of an individual in an analysis  
20 conducted under Subsection (b) or in a report prepared under that  
21 subsection.

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

26           (b) Notwithstanding Sections 81.043, 81.044, and 81.052,  
27 Health and Safety Code, as amended by this Act, a health authority

H.B. No. 246

1 and the Department of State Health Services are not required to  
2 comply with the changes in law made to these sections before January  
3 1, 2008.

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

ADOPTED

MAY 08 2007

*Atty. Gen.*  
Secretary of the Senate

H.B. No. 246

By: *Zuffanti*

Substitute the following for H.B. No. 246:

By: *Zuffanti*

C.S. H.B. No. 246

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

(1) acquired immune deficiency syndrome; and

(2) human immunodeficiency virus infection.

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

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

(2) the method by which the disease was transmitted.

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

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

4                   (1) the information described by Subsection (b); and

5                   (2) the patient's ethnicity, national origin, and city  
6 and county of residence.

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

10           (b) The department shall:

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

14                   (2) annually [ ~~routinely~~] analyze and determine trends  
15 in incidence and prevalence of AIDS and HIV infection by region,  
16 city, county, age, gender, race, ethnicity, national origin,  
17 transmission category, and other factors as appropriate; and

18                   (3) annually prepare a report on the analysis  
19 conducted under Subdivision (2) and make the report available to  
20 the public.

21           (b-1) The department may not include any information that  
22 would allow the identification of an individual in an analysis  
23 conducted under Subsection (b) or in a report prepared under that  
24 subsection.

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

27                   (1) addresses emerging technologies and advancements

1 in AIDS and HIV infection surveillance and epidemiology, including  
2 the use of the technologies and advancements to improve the testing  
3 for and reporting of AIDS and HIV infection; and

4 (2) makes recommendations regarding this state's use  
5 of the emerging technologies and advancements to enhance  
6 surveillance, treatment, and prevention of AIDS and HIV infection.

7 (b-3) Subsection (b-2) and this subsection expire September  
8 1, 2009.

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

13 (b) Notwithstanding Sections 81.043, 81.044, and 81.052,  
14 Health and Safety Code, as amended by this Act, a health authority  
15 and the Department of State Health Services are not required to  
16 comply with the changes in law made to these sections before January  
17 1, 2008.

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

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 3, 2007**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB246** by Alonzo (Relating to reports on cases of acquired immune deficiency syndrome and human immunodeficiency virus infection.), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

According to the Department of State Health Services, the reporting requirements of the bill are within the existing scope of local health authority responsibilities.

**Source Agencies:** 537 State Health Services, Department of

**LBB Staff:** JOB, CL, PP, SSt





**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 9, 2007**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB246** by Alonzo (Relating to reports on cases of acquired immune deficiency syndrome and human immunodeficiency virus infection.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
-----------------------------------------------------------

**Local Government Impact**

According to the Department of State Health Services, the reporting requirements of the bill are within the existing scope of local health authority responsibilities.

**Source Agencies:** 537 State Health Services, Department of

**LBB Staff:** JOB, CL, PP, SSt



**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 15, 2007**

**TO:** Honorable Dianne White Delisi, Chair, House Committee on Public Health

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB246** by Alonzo (Relating to reports on cases of acquired immune deficiency syndrome and human immunodeficiency virus infection.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

According to the Department of State Health Services, the reporting requirements of the bill are within the existing scope of local health authority responsibilities.

**Source Agencies:** 537 State Health Services, Department of

**LBB Staff:** JOB, CL, PP, SSt



**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**February 26, 2007**

**TO:** Honorable Dianne White Delisi, Chair, House Committee on Public Health

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB246** by Alonzo (Relating to quarterly reports on cases of acquired immune deficiency syndrome and human immunodeficiency virus infection.), **As Introduced**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

According to the Department of State Health Services, the reporting requirements of the bill are within the existing scope of local health authority responsibilities.

**Source Agencies:** 537 State Health Services, Department of

**LBB Staff:** JOB, CL, PP, SSt