

BILL ANALYSIS

C.S.H.B. 1093
By: Pickett
Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, the Commission on State Emergency Communications and the Department of State Health Services jointly administer the poison control network consisting of six poison control centers across Texas.

C.S.H.B. 1093 transfers oversight of regional poison control centers and the poison control network to the Commission on State Emergency Communications.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1093 amends the Health and Safety Code to transfer, on May 1, 2010, all functions and activities relating to regional poison control centers performed by the Department of State Health Services jointly with the Commission on State Emergency Communications to the commission and specifies that a reference in law or an administrative rule to the department or its predecessor relating to regional poison control centers is a reference to the commission. The bill specifies that, in addition to other duties, the commission is required to administer the poison control network, including poison control centers, rather than only the telecommunications requirements for poison control centers. The bill replaces the commissioner of public health or an individual who has responsibility for the poison control network designated by the commissioner with the executive commissioner of the Health and Human Services Commission or an individual designated by the executive commissioner as a nonvoting ex officio member of the commission on State Emergency Communications.

C.S.H.B. 1093 modifies the list of designated regional poison control centers for the state by replacing the R. E. Thomason General Hospital, El Paso County Hospital District, with the University Medical Center of El Paso and the Northwest Texas Hospital, Amarillo Hospital District, with the Texas Tech University Health Sciences Center at Amarillo. The bill requires the coordinating committee on poison control to coordinate the activities of the designated regional poison control centers in addition to advising the commission. The bill modifies the composition of the coordinating committee to include, in addition to the public member appointed by the commission, six members who represent the six regional poison control centers, one appointed by the chief officer of each center, one member appointed by the commissioner of the Department of State Health Services, and one member who is a health care professional designated as the poison control program coordinator appointed by the commission, and removes the other members each appointed by designated medical entities and state agencies. The bill specifies that the term of a member serving on the coordinating committee immediately preceding the effective date of the bill expires on that date and that the member may be reappointed to the committee.

C.S.H.B. 1093 requires the revenue received from the 9-1-1 equalization surcharge imposed on each customer receiving intrastate long-distance service to be periodically allocated to fund other activities related to the poison control centers, in addition to funding grants awarded to fund the centers.

C.S.H.B. 1093 requires the Department of State Health Services, on request of the Commission on State Emergency Communications, to provide epidemiological support to the regional poison control centers to maximize the use of data collected by the poison control network, assist the regional poison control centers with quality control and quality assurance, assist with research, and coordinate poison control activities with other public health activities. The bill requires each center to provide the department with access to all data and information collected by the center for public health activities and epidemiological and toxicological investigations. The bill requires the commission and the department, not later than February 1, 2010, to enter into a memorandum of understanding that delineates the responsibilities of each agency in coordinating support to the regional centers and to amend the memorandum of understanding as necessary to reflect the changes in those responsibilities.

C.S.H.B. 1093 requires the department and the commission, not later than January 1, 2010, to enter into a memorandum of understanding that identifies the applicable powers and duties that are being transferred and establishes a plan for the identification and transfer of the records, property, and unspent appropriations of the department that are used for purposes relating to regional poison control centers. The bill authorizes the department, before May 1, 2010, to agree with the commission to transfer any property of the department to the commission to implement the transfer and requires the department, during the period beginning on September 1, 2009, and ending on April 30, 2010, to continue performing the functions and activities relating to regional poison control centers.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1093 differs from the original by requiring as a duty of the Commission on State Emergency Communications the administration of the implementation of the poison control network, including poison control centers, whereas the original requires that of poison control centers.

C.S.H.B. 1093 adds a provision to require the revenue received from the 9-1-1 equalization surcharge imposed on each customer receiving intrastate long-distance service to be periodically allocated to fund other activities related to the poison control centers, in addition to funding grants awarded to fund the regional poison control centers, as in the original.

C.S.H.B. 1093 includes a provision not in the original modifying the list of medical entities designated as the regional poison control centers.

C.S.H.B. 1093 adds a provision not in the original to require the coordinating committee on poison control to coordinate the activities of the designated regional poison control centers. The substitute, in the provision setting forth the composition of the coordinating committee, changes the membership from two public members appointed by the Commission on State Emergency Communications and 13 members appointed by the chief executive officer of each of the 13 entities designated in the statutes as in the original, to one public member appointed by the commission, and six members who represent the six named regional poison control centers, appointed by the chief executive officer of each center, one member appointed by the commissioner of the Department of State Health Services, and one member who is a health care professional designated as the poison control program coordinator appointed by the commission.

C.S.H.B. 1093 adds a provision not in the original specifying that the term of a member serving on the coordinating committee on poison control immediately preceding the effective date of the bill expires on that date and that the member may be reappointed to the committee.

C.S.H.B. 1093 adds provisions not in the original relating to the cooperation and coordination between the Department of State Health Services and the Commission on State Emergency Communications, in providing epidemiological support to the regional poison control centers.