

BILL ANALYSIS

C.S.H.B. 2917
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Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, the Department of State Health Services (DSHS) is able to obtain a criminal history record for an applicant for or holder of an emergency medical services (EMS) provider license or EMS personnel certificate, the owner or manager of an applicant for an EMS provider license, an applicant for or holder of a license for the wholesale distribution of prescription drugs, an applicant for or holder of a massage establishment license, or the owner or manager of an applicant for a massage establishment license. However, DSHS is not able to obtain a criminal history record for certain applicants for employment or current employees of the department.

C.S.H.B. 2917 authorizes DSHS to obtain criminal history record information for an applicant for employment at or current employee of the Texas Center for Infectious Disease or the South Texas Health Care System, and for an applicant for employment at or current employee or contractor of the vital statistics unit of DSHS, the Council on Sex Offender Treatment, or other division or component of DSHS that monitors sexually violent predators.

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. 2917 amends the Government Code to add the following to the persons for whom the Department of State Health Services (DSHS) is entitled to obtain criminal history record information from the Department of Public Safety: an applicant for employment at or current employee of the Texas Center for Infectious Disease or the South Texas Health Care System, and an applicant for employment at, current employee of, or person who contracts or may contract to provide goods or services with the vital statistics unit of DSHS or the Council on Sex Offender Treatment or other division or component of DSHS that monitors sexually violent predators. The bill requires DSHS to destroy the criminal history record information that relates to an applicant for employment after that applicant is employed or, for an applicant who is not employed, after the check of the criminal history record information on that applicant is completed, or that relates to an employee or contractor after the check of the criminal history record information on that employee or contractor is completed.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2917 differs from the original by including a current employee of the Texas Center for Infectious Disease or the South Texas Health Care System and a current employee or contractor or potential contractor of the vital statistics unit of the Department of State Health Services (DSHS) or the Council on Sex Offender Treatment or other DSHS division or component that monitors sexually violent predators among those persons for whom DSHS is entitled to obtain criminal history record information from the Department of Public Safety, whereas the original does not include such current employees, contractors, or potential contractors.

C.S.H.B. 2917 adds provisions not in the original requiring DSHS to destroy the criminal history record information that relates to an applicant who is not employed or to an employee or contractor after the check of the criminal history record information on that applicant, employee, or contractor is completed.