

BILL ANALYSIS

C.S.H.B. 4560
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Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Chapter 607, Government Code, provides benefits relating to certain contagious diseases for emergency medical service employees, firefighters and police officers. However, those provisions do not provide benefits to such employees who are exposed to methicillin-resistant Staphylococcus aureus.

C.S.H.B. 4560 entitles a firefighter or emergency medical technician who is exposed to methicillin-resistant Staphylococcus aureus (MRSA) to receive notification of the exposure in the manner prescribed by law for notification of emergency personnel, peace officers, detention officers, county jailers, and firefighters regarding possible exposure to reportable communicable diseases.

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. 4560 amends the Government Code to entitle a firefighter or emergency medical technician who is exposed to methicillin-resistant Staphylococcus aureus (MRSA) to receive notification of the exposure in the manner prescribed by law for notification of emergency personnel, peace officers, detention officers, county jailers, and firefighters regarding possible exposure to or test results for reportable communicable diseases.

C.S.H.B. 4560 defines "emergency medical technician" and "firefighter."

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4560 omits provisions included in the original establishing a presumption that a firefighter or emergency medical technician who contracts a methicillin-resistant Staphylococcus aureus (MRSA) infection resulting in illness or death suffered the illness or death during the course and scope of employment if the individual, while on duty, was exposed to a person diagnosed with MRSA who received medical treatment from that firefighter or emergency medical technician or the individual participated in a training exercise involving use of equipment contaminated or suspected to be contaminated with MRSA. The substitute omits provisions included in the original establishing the effect of that presumption for purposes of benefits or compensation provided under certain employee benefit laws or plans, including a pension plan, making the presumption rebuttable under certain conditions, and prohibiting payment to a subsequent injury fund for any death or illness that falls under the presumption.

The substitute omits a provision in the original defining "disability." The substitute omits administrative provisions included in the original making the bill's provisions applicable to a claim for benefits or compensation brought on or after the bill's effective date. The substitute makes a nonsubstantive technical correction.