

BILL ANALYSIS

S.B. 1932
By: Carona
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

During a disaster and evacuation, dialysis treatment for patients experiencing renal failure is critical and time sensitive. Consequently, evacuees may need to rely on area hospitals to receive their needed treatments. However, due to licensure requirements, hospitals are not authorized to provide outpatient dialysis treatment.

Section 251.011 (License Required), Health and Safety Code, requires that facilities providing dialysis treatment be licensed by the state. Section 251.012 (Exemptions From Licensing Requirement), Health and Safety Code, exempts certain facilities, such as physicians' offices and home and community support services agencies, from the licensure requirements. However, an exemption for hospitals is only available for inpatient dialysis services.

S.B. 1932 provides an exemption from licensure requirements for hospitals licensed under the Texas Hospital Licensing Law that provide dialysis only to individuals receiving outpatient services who are temporarily relocated due to a disaster declared by the governor or a federal disaster declared by the president of the United States occurring in this state or another state.

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

S.B. 1932 amends the Health and Safety Code to provide an exemption from end stage renal disease facility licensing requirements for a licensed hospital that provides dialysis only to individuals temporarily receiving outpatient services due to a disaster declared by the governor or a federal disaster declared by the president of the United States occurring in this state or another state during the term of the declaration.

EFFECTIVE DATE

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