

By: McReynolds

H.B. No. 2917

A BILL TO BE ENTITLED

1 AN ACT
2 relating to authorizing the Department of State Health Services to
3 obtain criminal history record information for certain applicants
4 for employment.

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

6 SECTION 1. Sections 411.110(a), (c), and (d), Government
7 Code, are amended to read as follows:

8 (a) The Department of State Health Services is entitled to
9 obtain from the department criminal history record information
10 maintained by the department that relates to:

11 (1) a person who is:

12 (A) an applicant for a license or certificate
13 under the Emergency Medical Services Act (Chapter 773, Health and
14 Safety Code);

15 (B) an owner or manager of an applicant for an
16 emergency medical services provider license under that Act; or

17 (C) the holder of a license or certificate under
18 that Act;

19 (2) an applicant for a license or a license holder
20 under Subchapter N, Chapter 431, Health and Safety Code; ~~or~~

21 (3) an applicant for a license, the owner or manager of
22 an applicant for a massage establishment license, or a license
23 holder under Chapter 455, Occupations Code;

24 (4) an applicant for employment at or current employee

1 of:

2 (A) the Texas Center for Infectious Disease; or

3 (B) the South Texas Health Care System; or

4 (5) an applicant for employment at, current employee
5 of, or person who contracts or may contract to provide goods or
6 services with:

7 (A) the vital statistics unit of the Department
8 of State Health Services; or

9 (B) the Council on Sex Offender Treatment or
10 other division or component of the Department of State Health
11 Services that monitors sexually violent predators as described by
12 Section 841.003(a), Health and Safety Code.

13 (c) After an entity is licensed or certified, the Department
14 of State Health Services shall destroy the criminal history record
15 information that relates to that entity. The Department of State
16 Health Services shall destroy the criminal history record
17 information that relates to:

18 (1) an applicant for employment after that applicant
19 is employed or, for an applicant who is not employed, after the
20 check of the criminal history record information on that applicant
21 is completed; or

22 (2) an employee or contractor after the check of the
23 criminal history record information on that employee or contractor
24 is completed.

25 (d) The Department of State Health Services shall destroy
26 criminal history record information that relates to an applicant
27 who ~~that~~ is not certified or employed, as applicable.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2009.