

By: McReynolds

H.B. No. 2917

A BILL TO BE ENTITLED

AN ACT

1
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; or

24 (4) an applicant for employment at:

1 (A) the Texas Center for Infectious Disease;

2 (B) the South Texas Health Care System;

3 (C) the bureau of vital statistics of the
4 Department of State Health Services; or

5 (D) the Council on Sex Offender Treatment or
6 other division or component of the Department of State Health
7 Services that monitors sexually violent predators as described by
8 Section 841.003(a), Health and Safety Code.

9 (c) After an entity is licensed or certified, the Department
10 of State Health Services shall destroy the criminal history record
11 information that relates to that entity. After an applicant for
12 employment is employed, the Department of State Health Services
13 shall destroy the criminal history record information that relates
14 to that applicant.

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

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