

By: Hilderbran

H.B. No. 3831

A BILL TO BE ENTITLED

AN ACT

relating to persons authorized to receive certain medical or treatment information.

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

SECTION 1. Chapter 611, Health and Safety Code, is amended by adding Section 611.009 to read as follows:

Sec. 611.009. APPLICATION FOR DISCLOSURE. (a) A person may apply to a county or district court with probate jurisdiction for a court order allowing access to confidential information relating to the patient if the person:

(1) is a member of the patient's family or is the patient's caregiver;

(2) provides financial, emotional, or other substantial support to the patient; and

(3) enhances or facilitates the treatment, care, or well-being of the patient.

(b) The court may deny access to any portion of a record if the court determines that release of that portion would be harmful to the patient's physical, mental, or emotional health.

SECTION 2. This Act takes effect September 1, 2009.