

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 6, 2009**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB1171** by Nichols (Relating to certain health-related reports, records, and information.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend Section 81.046 of the Health and Safety Code, the confidentiality law for communicable diseases, to require records, reports and information received from any source including a federal agency, another state, a public health district, or a local health department to be confidential.

The bill amends the list of individuals and organizations that the information can be released to. The bill limits the number of medical personnel who can receive the information to only those medical personnel that are providing treatment to the individual. It explicitly states that the state agencies authorized to receive this information can be of this state or another state, and it allows health authorities or local health authorities in this state or another state to have the information released to them.

The bill allows a judge to issue a protective order on the information if it is released to the courts to limit the disclosure of the information before it is entered into evidence or otherwise disclosed in a court proceeding.

The Department of State Health Services estimates that any cost associated with the bill can be absorbed within existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 537 State Health Services, Department of

**LBB Staff:** JOB, CL, BM, MB