

## **BILL ANALYSIS**

C.S.H.B. 413  
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Agriculture & Livestock  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, a veterinarian is allowed to disclose confidential information pertaining to the care of a client's animal under certain circumstances. For instance, the confidentiality privilege may be waived if an owner raises, in a civil matter, the issue of either the nature or extent of the animal's injuries or care and treatment provided by the veterinarian. If a client fails to pay a veterinarian for the services the veterinarian has rendered and the veterinarian is unable to collect the debt, it may become necessary to send the debt to a collections agency. C.S.H.B. 413 seeks to ensure that a veterinarian does not commit a violation of a client confidentiality law when turning over information necessary to prove that a charge or specific service was provided by the veterinarian for the purpose of collecting a debt.

C.S.H.B. 413 also attempts to provide protection from a disclosure violation for a veterinarian who provides the rabies vaccination status of a specific client's specific animal for the purpose of handling a life-threatening situation, such as one involving an animal bite, or to verify that a rabies vaccination has been given to an animal. This provision seeks to allow quicker access to the true vaccination status of an animal involved in the incident and to protect the confidentiality of such information provided by the veterinarian by stating that a public health authority may use it for purposes that directly relate to the protection of health and public safety.

### **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**

C.S.H.B. 413 amends the Occupations Code to establish that the veterinarian-client confidentiality privilege provided by state law relating to practice by a veterinarian is waived by the client or owner of an animal treated by a veterinarian in a proceeding to substantiate and collect on a debt incurred for veterinary services. The bill expands the circumstances under which a veterinarian does not violate that privilege to include the disclosure of the rabies vaccination status of a specific client's specific animal. The bill specifies that the disclosure of certain information about the specific client or the client's specific animal to a health authority who requests the identity of the client for specified purposes refers to disclosure to a public health authority and expands the circumstances under which a public health authority, veterinarian, or physician can receive such information to include obtaining information for a public health purpose. The bill requires a public health authority that receives information under these provisions to maintain the confidentiality of the information and prohibits the authority from disclosing the information under state public information laws and from using the information for a purpose that does not directly relate to the protection of public health and safety.

### **EFFECTIVE DATE**

September 1, 2011.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 413 differs from the original by specifying that the disclosure of the rabies vaccination status of a specific client's specific animal does not constitute a violation of the veterinarian-client confidentiality privilege, whereas the original makes that disclosure applicable to a client's animal without making such a specification to a client or animal.