

BILL ANALYSIS

S.B. 256
By: Nelson
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that families using the services of a private autopsy facility are inadequately informed about their rights as consumers. S.B. 256 seeks to address this concern by requiring a private autopsy facility to post a certain notice for filing a complaint against a physician and providing a criminal penalty for failure to post the notice.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Medical Board in SECTION 1 of this bill.

ANALYSIS

S.B. 256 amends the Health and Safety Code to require a private autopsy facility to post a notice in a conspicuous place in a public area of the facility that states in English and in Spanish that a person may file with the Texas Medical Board a complaint against a physician who performs autopsy services and requires the notice to include the appropriate mailing address and telephone number of the board for filing complaints against physicians. The bill requires the board by rule to adopt a sample form of the notice and to publish the notice on the board's Internet website not later than January 1, 2012. The bill requires a notice posted by a private autopsy facility to substantially comply with the sample form published on the board's Internet website.

S.B. 256 creates, effective January 1, 2012, a Class C misdemeanor offense for a private autopsy facility that fails to publish the notice. The bill defines "private autopsy facility."

EFFECTIVE DATE

Except as otherwise provided, September 1, 2011.