

## **BILL ANALYSIS**

S.B. 620  
By: Nelson  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

As a result of recent legislation, certain health facilities in Texas are required to report health care-associated infections and preventable adverse events to the Department of State Health Services (DSHS). Since that legislation took effect, the federal Centers for Disease Control and Prevention has developed the National Healthcare Safety Network (NHSN), which serves as a confidential system for reporting and monitoring health care-associated infections and is available to health care facilities in the United States at no cost to the facility. Interested parties assert that current law needs to be updated before NHSN can be used as the reporting system in Texas.

S.B. 620 seeks to address matters relating to the reporting of health care-associated infections and preventable adverse events.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTIONS 2, 3, and 6 of this bill.

### **ANALYSIS**

S.B. 620 amends Chapter 98.102(c), Health and Safety Code, as added by Chapter 359 (S.B. 288), Acts of the 80th Legislature, Regular Session, 2007, to specify that a pediatric and adolescent hospital is required to report to the Department of State Health Services (DSHS) the incidence of surgical site infections occurring in ventricular, rather than ventriculoperitoneal, shunt procedures. The bill authorizes the executive commissioner of the Health and Human Services Commission by rule to designate the federal Centers for Disease Control and Prevention's National Healthcare Safety Network, or its successor, to receive reports of health care-associated infections from health care facilities on behalf of DSHS. The bill requires a health care facility to file such a report in accordance with the National Healthcare Safety Network's definitions, methods, requirements, and procedures. The bill authorizes the executive commissioner by rule to designate an agency of the United States Department of Health and Human Services to receive reports of preventable adverse events by health care facilities on behalf of DSHS. The bill requires a health care facility to authorize DSHS to have access to facility-specific data contained in a report made in accordance with such designations.

S.B. 620 requires the data required to be made available to the public regarding the DSHS departmental summary of reported infections and preventable adverse events to include aggregate data covering a period of at least a full calendar quarter.

S.B. 620 authorizes the executive commissioner to adopt rules requiring the reporting of reportable infections and preventable adverse events by health care facilities to occur more frequently than quarterly if more frequent reporting is necessary to meet the requirements for participation in the federal Centers for Disease Control and Prevention's National Healthcare

Safety Network. The bill adds the federal Centers for Disease Control and Prevention to the entities to which DSHS is authorized to disclose information relating to health care-associated infections and preventable adverse events reported by health care facilities to DSHS for certain public health research or analysis purposes. The bill authorizes an agency of the United States Department of Health and Human Services designated by the executive commissioner to receive reports of health care-associated infections or preventable adverse events to use the information submitted for purposes allowed by federal law.

S.B. 620 repeals Section 98.104, Health and Safety Code, as added by Chapter 359 (S.B. 288), Acts of the 80th Legislature, Regular Session, 2007, relating to alternative reportable surgical site infection reporting requirements for certain health care facilities and makes related conforming changes.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.