

## **BILL ANALYSIS**

C.S.H.B. 2709  
By: Cortez  
Public Health  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties assert that Texas would benefit from a state plan for the prevention and treatment of diseases caused by *Streptococcus pneumoniae* and an education and prevention program to heighten awareness and enhance knowledge and understanding of these diseases. C.S.H.B. 2709 seeks to create such a plan and program.

### **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. 2709 amends the Health and Safety Code to require the Department of State Health Services (DSHS) to develop a state plan for prevention and treatment of diseases caused by *Streptococcus pneumoniae* using existing resources and programs to the extent possible. The bill requires DSHS to update the plan at least once every five years and authorize DSHS to update the plan biennially. The bill requires the plan to include strategies for prevention and treatment of diseases caused by *Streptococcus pneumoniae* in specific demographic groups that are disproportionately affected by the diseases, including elderly persons, children under two years of age, persons living in long-term care facilities, persons with a chronic heart or lung disease, smokers, and persons with asplenia. The bill requires DSHS, in developing the plan, to seek input from the public, including members of the public who have had diseases caused by *Streptococcus pneumoniae*; certain state agencies, advisory bodies, and public advocates; providers of services to persons with diseases caused by *Streptococcus pneumoniae*, and any statewide professional associations of physicians.

C.S.H.B. 2709 requires DSHS to develop a program to heighten awareness and enhance knowledge and understanding of *Streptococcus pneumoniae*. The bill requires the program to require DSHS to conduct health education, public awareness, and community outreach activities to promote public awareness and knowledge about the risk factors, the value of early detection, available screening services, and the options available for the treatment of diseases caused by *Streptococcus pneumoniae*, and to post on DSHS's Internet website the options available for the prevention, treatment, and detection of diseases caused by *Streptococcus pneumoniae* and information on the risk factors for, method of transmission of, and value of early detection of the diseases. The bill authorizes DSHS, using existing resources, to include in the program a study to estimate the current and future impact of diseases caused by *Streptococcus pneumoniae* on Texas.

### **EFFECTIVE DATE**

September 1, 2013.

## COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2709 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

### INTRODUCED

SECTION 1. Subtitle D, Title 2, Health and Safety Code, is amended by adding Chapter 94A to read as follows:

#### CHAPTER 94A. STATE PLAN FOR BACTERIAL PNEUMONIA; EDUCATION AND PREVENTION PROGRAM

Sec. 94A.001. DEFINITION.

Sec. 94A.002. STATE PLAN FOR BACTERIAL PNEUMONIA. (a) The department shall develop a state plan for prevention and treatment of bacterial pneumonia.

The plan must include strategies for prevention and treatment of bacterial pneumonia in specific demographic groups that are disproportionately affected by bacterial pneumonia, including persons with a chronic lung disease, smokers, persons with a brain disorder, persons with an immune system disorder, persons with a serious illness, persons who recently underwent a surgery or trauma, and persons who have had surgery to treat cancer of the mouth, throat, or neck.

(b) In developing the plan, the department shall seek the input of:

(1) the public, including members of the public that have had bacterial pneumonia;

(2) each state agency that provides services to persons with bacterial pneumonia or the functions of which otherwise involve bacterial pneumonia, including any appropriate health and human services agency described by Section 531.001, Government Code;

(3) any advisory body that addresses issues related to bacterial pneumonia;

### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subtitle D, Title 2, Health and Safety Code, is amended by adding Chapter 94A to read as follows:

#### CHAPTER 94A. STATE PLAN FOR STREPTOCOCCUS PNEUMONIAE; EDUCATION AND PREVENTION PROGRAM

Sec. 94A.001. DEFINITION.

Sec. 94A.002. STATE PLAN FOR STREPTOCOCCUS PNEUMONIAE. (a) The department, using existing resources and programs to the extent possible, shall develop a state plan for prevention and treatment of diseases caused by Streptococcus pneumoniae.

The plan must include strategies for prevention and treatment of diseases caused by Streptococcus pneumoniae in specific demographic groups that are disproportionately affected by the diseases, including elderly persons, children under two years of age, persons living in long-term care facilities, persons with a chronic heart or lung disease, smokers, and persons with asplenia.

(b) In developing the plan, the department shall seek the input of:

(1) the public, including members of the public who have had diseases caused by Streptococcus pneumoniae;

(2) each state agency that provides services to persons infected with Streptococcus pneumoniae or the functions of which otherwise involve diseases caused by Streptococcus pneumoniae, including any appropriate health and human services agency described by Section 531.001, Government Code, the Employees Retirement System of Texas, and the Teacher Retirement System of Texas;

(3) any advisory body that addresses issues related to diseases caused by Streptococcus pneumoniae;

(4) public advocates concerned with issues related to bacterial pneumonia; and

(5) providers of services to persons with bacterial pneumonia.

(c) The department shall biennially update the state plan developed under this section.

Sec. 94A.003. BACTERIAL PNEUMONIA EDUCATION AND PREVENTION PROGRAM. (a) The department shall develop a program to heighten awareness and enhance knowledge and understanding of bacterial pneumonia. The department shall:

(1) conduct a study to estimate the current and future impact of bacterial pneumonia on this state;

(2) conduct health education, public awareness, and community outreach activities to promote public awareness and knowledge about the risk factors, the value of early detection, available screening services, and the options available for the treatment of bacterial pneumonia;

(3) provide training to public health clinic staff regarding the treatment, detection, and methods of transmission of bacterial pneumonia;

(4) identify to health care providers and employers the benefits of disease awareness and prevention; and

(5) develop a prevention program to reduce the risk of transmission of bacterial pneumonia.

(b) In developing the prevention program required by Subsection (a)(5), the department may forecast the economic and clinical impacts of bacterial pneumonia and the impact of bacterial pneumonia on quality of life. The department may develop the forecasts in conjunction with an academic medical center or a nonprofit institution with experience using disease management prospective modeling and

(4) public advocates concerned with issues related to diseases caused by Streptococcus pneumoniae;

(5) providers of services to persons with diseases caused by Streptococcus pneumoniae; and

(6) any statewide professional associations of physicians.

(c) The department shall update the state plan developed under this section at least once every five years and may update the state plan biennially.

Sec. 94A.003. STREPTOCOCCUS PNEUMONIAE EDUCATION AND PREVENTION PROGRAM. (a) The department shall develop a program to heighten awareness and enhance knowledge and understanding of Streptococcus pneumoniae.

(b) The program developed under Subsection (a) must require the department to:

(1) conduct health education, public awareness, and community outreach activities to promote public awareness and knowledge about the risk factors for, the value of early detection of, available screening services for, and the options available for the treatment of diseases caused by Streptococcus pneumoniae; and

*(Similar to Subsec. (c) below)*

simulation techniques.

(2) post on the department's Internet website the options available for the prevention, treatment, and detection of diseases caused by Streptococcus pneumoniae and information on the risk factors for, method of transmission of, and value of early detection of the diseases.

*(Similar to Subsec. (b) above)*

(c) The department, using existing resources, may include in the program developed under Subsection (a) a study to estimate the current and future impact of diseases caused by Streptococcus pneumoniae on this state.

SECTION 2. This Act takes effect September 1, 2013.

SECTION 2. Same as introduced version.