

BILL ANALYSIS

Senate Research Center

S.B. 1609
By: Schwertner
Health & Human Services
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 300, 82nd Legislature, Regular Session, 2011, enhanced the protection of personal health information. Unfortunately, certain provisions have resulted in unintended burdens on covered entities. S.B. 1609 offers targeted amendments designed to maintain the strength of state privacy protections, while allowing for increased scalability and flexibility in the completion of training requirements.

S.B. 1609 amends current law relating to training of employees of certain covered entities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 181.101, Health and Safety Code, as follows:

Sec. 181.101. TRAINING REQUIRED. (a) Requires each covered entity to provide training to employees of the covered entity regarding the state and federal law concerning protected health information as necessary and appropriate for the employees to carry out their duties for the covered entity, rather than requires each covered entity to provide a training program to employees of the covered entity regarding the state and federal law concerning protected health information as it relates to the covered entity's particular source of business and each employee's scope of employment.

(b) Requires an employee of a covered entity to complete training described by Subsection (a) not later than the 90th day, rather than 60th day, after the date the employee is hired by the covered entity.

(c) Requires the employee, if the duties of an employee of a covered entity are affected by a material change in state or federal law concerning protected health information, to receive training described by Subsection (a) within a reasonable period, not to exceed one year, after the material change becomes effective, rather than requiring an employee of a covered entity to receive training at least once every two years.

(d) Requires a covered entity to require an employee of the entity who receives training, rather than attends a training program, described by Subsection (a) to sign, electronically or in writing, a statement verifying the employee's completion of training, rather than the employee's attendance at the training program. Requires that the covered entity maintain the signed statement for six years.

SECTION 2. Effective date: upon passage or September 1, 2013.