

AN ACT

relating to the sunset review of certain powers and duties performed by the Department of State Health Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11.003, Health and Safety Code, is amended to read as follows:

Sec. 11.003. SUNSET PROVISION. (a) The Texas Board of Health and the Texas Department of Health were abolished by Section 1.26, Chapter 198 (H.B. 2292), Acts of the 78th Legislature, Regular Session, 2003, and the powers and duties of those entities under this chapter were transferred to other agencies, which are subject to Chapter 325, Government Code (Texas Sunset Act). Unless the agencies to which those powers and duties are transferred are continued in existence as provided by that chapter, this chapter expires September 1, 2015.

(b) In the review of the Department of State Health Services by the Sunset Advisory Commission, as required by this section and Section 1001.003, the sunset commission shall review the powers and duties exercised by the department under Chapter 108 and determine whether the department, under that chapter, is:

(1) achieving the legislature's intent of empowering consumers with information to make informed health care decisions;

(2) maintaining appropriate privacy and security standards for patient information; and

1 (3) limiting the patient information the department
2 collects to the information necessary for performing the
3 department's duties under Chapter 108.

4 (c) The Sunset Advisory Commission shall report its
5 findings to the legislature in the report required by Section
6 325.010, Government Code. This subsection and Subsection (b)
7 expire September 1, 2015.

8 SECTION 2. Chapter 108, Health and Safety Code, is amended
9 by adding Section 108.016 to read as follows:

10 Sec. 108.016. SUNSET REVIEW. Unless continued in existence
11 in accordance with Chapter 325, Government Code (Texas Sunset Act),
12 after the review required by Section 11.003(b), this chapter
13 expires September 1, 2015.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 1394 was passed by the House on April 26, 2013, by the following vote: Yeas 135, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1394 was passed by the Senate on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor