

By: King of Taylor

H.B. No. 1394

Substitute the following for H.B. No. 1394:

By: Naishtat

C.S.H.B. No. 1394

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the sunset review of certain powers and duties  
3 performed by the Department of State Health Services.

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

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

7 Sec. 11.003. SUNSET PROVISION. (a) The Texas Board of  
8 Health and the Texas Department of Health were abolished by Section  
9 1.26, Chapter 198 (H.B. 2292), Acts of the 78th Legislature,  
10 Regular Session, 2003, and the powers and duties of those entities  
11 under this chapter were transferred to other agencies, which are  
12 subject to Chapter 325, Government Code (Texas Sunset Act). Unless  
13 the agencies to which those powers and duties are transferred are  
14 continued in existence as provided by that chapter, this chapter  
15 expires September 1, 2015.

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

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

23 (2) maintaining appropriate privacy and security  
24 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.