

1-1 By: King of Taylor (Senate Sponsor - Duncan) H.B. No. 1394  
 1-2 (In the Senate - Received from the House April 29, 2013;  
 1-3 April 30, 2013, read first time and referred to Committee on Health  
 1-4 and Human Services; May 15, 2013, reported favorably by the  
 1-5 following vote: Yeas 9, Nays 0; May 15, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nelson	X			
1-8 Deuell	X			
1-9 Huffman	X			
1-10 Nichols	X			
1-11 Schwertner	X			
1-12 Taylor	X			
1-13 Uresti	X			
1-14 West	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the sunset review of certain powers and duties  
 1-20 performed by the Department of State Health Services.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 11.003, Health and Safety Code, is  
 1-23 amended to read as follows:

1-24 Sec. 11.003. SUNSET PROVISION. (a) The Texas Board of  
 1-25 Health and the Texas Department of Health were abolished by Section  
 1-26 1.26, Chapter 198 (H.B. 2292), Acts of the 78th Legislature,  
 1-27 Regular Session, 2003, and the powers and duties of those entities  
 1-28 under this chapter were transferred to other agencies, which are  
 1-29 subject to Chapter 325, Government Code (Texas Sunset Act). Unless  
 1-30 the agencies to which those powers and duties are transferred are  
 1-31 continued in existence as provided by that chapter, this chapter  
 1-32 expires September 1, 2015.

1-33 (b) In the review of the Department of State Health Services  
 1-34 by the Sunset Advisory Commission, as required by this section and  
 1-35 Section 1001.003, the sunset commission shall review the powers and  
 1-36 duties exercised by the department under Chapter 108 and determine  
 1-37 whether the department, under that chapter, is:

1-38 (1) achieving the legislature's intent of empowering  
 1-39 consumers with information to make informed health care decisions;

1-40 (2) maintaining appropriate privacy and security  
 1-41 standards for patient information; and

1-42 (3) limiting the patient information the department  
 1-43 collects to the information necessary for performing the  
 1-44 department's duties under Chapter 108.

1-45 (c) The Sunset Advisory Commission shall report its  
 1-46 findings to the legislature in the report required by Section  
 1-47 325.010, Government Code. This subsection and Subsection (b)  
 1-48 expire September 1, 2015.

1-49 SECTION 2. Chapter 108, Health and Safety Code, is amended  
 1-50 by adding Section 108.016 to read as follows:

1-51 Sec. 108.016. SUNSET REVIEW. Unless continued in existence  
 1-52 in accordance with Chapter 325, Government Code (Texas Sunset Act),  
 1-53 after the review required by Section 11.003(b), this chapter  
 1-54 expires September 1, 2015.

1-55 SECTION 3. This Act takes effect immediately if it receives  
 1-56 a vote of two-thirds of all the members elected to each house, as  
 1-57 provided by Section 39, Article III, Texas Constitution. If this  
 1-58 Act does not receive the vote necessary for immediate effect, this  
 1-59 Act takes effect September 1, 2013.

1-60 \* \* \* \* \*