

By: Naishtat

H.B. No. 1745

A BILL TO BE ENTITLED

AN ACT

relating to suicide reporting by hospitals and emergency medical care facilities.

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

SECTION 1. Section 108.002, Health and Safety Code, is amended by adding Subdivisions (1-a) and (8-b) and amending Subdivisions (8-a) and (12) to read as follows:

(1-a) "Attempted suicide" means a self-inflicted, destructive act committed with explicit or inferred intent to die.

(8-a) "Emergency medical care facility" means a freestanding emergency medical care facility licensed under Chapter 254.

(8-b) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

(12) "Hospital" means a public, for-profit, or nonprofit institution licensed or owned by this state that is a general or special hospital, private mental hospital, chronic disease hospital, or other type of hospital. The term includes a hospital's emergency room.

SECTION 2. Chapter 108, Health and Safety Code, is amended by adding Section 108.0101 to read as follows:

Sec. 108.0101. COLLECTION AND DISSEMINATION OF ATTEMPTED SUICIDE INFORMATION. (a) The department shall collect information regarding an attempted suicide by a patient examined by a hospital

1 or emergency medical care facility.

2 (b) Notwithstanding Sections 108.006(b)(3) and 108.009(f),  
3 a hospital or emergency medical care facility shall submit a report  
4 regarding a patient's attempted suicide not later than the 30th day  
5 after the date the hospital or emergency medical care facility  
6 examines the patient.

7 (c) Notwithstanding Sections 108.006(b)(3) and 108.009(f),  
8 a hospital or emergency medical care facility shall report to the  
9 department any month when the hospital or facility had zero  
10 attempted suicides during the month. The report must be in the form  
11 prescribed by the department and submitted not later than the 15th  
12 day of the following month.

13 (d) A person who submits a report of an attempted suicide  
14 under this section or examines or treats an attempted suicide  
15 reported under this section may not be held civilly or criminally  
16 liable for complying with the requirements of this section.

17 (e) Notwithstanding any other provision of this chapter,  
18 reports, records, and information obtained or developed by the  
19 department under this section are confidential and are not subject  
20 to disclosure under Chapter 552, Government Code, are not subject  
21 to subpoena, and may not otherwise be released or made public except  
22 as provided by this section.

23 (f) Each quarter, at the request of an agency or  
24 organization with recognized expertise in suicide prevention, the  
25 department shall release information reported under this section,  
26 in the form of a statistical report, to the agency or organization.  
27 The statistical report must be released in a manner that prevents

1 the identification of any person. The department may charge the  
2 agency or organization a reasonable fee to offset the costs of  
3 releasing the statistical report. The agency or organization may  
4 use information contained in a statistical report received under  
5 this subsection only for suicide prevention purposes.

6 (g) Information collected under this section may be  
7 released for statistical purposes if released in a manner that  
8 maintains patient confidentiality as provided by Section 108.013.

9 (h) The executive commissioner may adopt rules necessary to  
10 implement this section.

11 SECTION 3. This Act takes effect September 1, 2013.