

By: Davis

S.B. No. 1191

A BILL TO BE ENTITLED

AN ACT

relating to the care provided to a sexual assault survivor by a health care facility.

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

SECTION 1. Section 323.004, Health and Safety Code, is amended by amending Subsection (a) and adding Subsections (a-1), (a-2), and (d) to read as follows:

(a) Except as otherwise provided by Subsection (a-2), after ~~After~~ a sexual assault survivor arrives at a health care facility following an alleged sexual assault, the facility shall~~+~~

~~(1)~~ provide care to the survivor in accordance with Subsection (b).

(a-1) A facility that is not a health care facility designated in a community-wide plan as the primary health care facility in the community for treating sexual assault survivors shall inform the survivor that:

(1) the facility is not the designated facility; and

(2) the survivor is entitled, at the survivor's option:

(A) to receive the care described by Subsection (b) at that facility; or

(B) to be stabilized and to be transferred to and receive the care described by Subsection (b) at a health care facility designated in a community-wide plan as the primary health

1 care facility in the community for treating sexual assault
2 survivors.

3 (a-2) If a survivor chooses to be transferred under
4 Subsection (a-1)(2)(B), after obtaining the survivor's written,
5 signed consent to the transfer, the facility shall ~~to~~
6 ~~(2)~~ stabilize and transfer the survivor to a health
7 care facility designated in a community-wide plan as the primary
8 health care facility in the community for treating sexual assault
9 survivors, which shall provide care to the survivor in accordance
10 with Subsection (b).

11 (d) If telemedicine is used in the treatment described by
12 Subsection (b) provided to a sexual assault survivor, the facility
13 shall comply with Section 531.02161, Government Code, and any rules
14 adopted under that section.

15 SECTION 2. This Act takes effect September 1, 2013.