



15 JULY 22 PM 6:15
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Price

1 Amend S.B. No. 200 (house committee report) by adding the
2 following appropriately numbered ARTICLE to the bill and
3 renumbering subsequent ARTICLES and SECTIONS of the bill as
4 appropriate:

5 ARTICLE _____. VITAL STATISTICS

6 SECTION _____.01. Subchapter A, Chapter 191, Health and
7 Safety Code, is amended by adding Section 191.0031 to read as
8 follows:

9 Sec. 191.0031. CERTIFIED COPIES BY MAIL. The state
10 registrar or a local registrar may not issue a certified copy of a
11 record under this chapter to a person who has applied for the record
12 by mail unless the person has provided notarized proof of identity
13 in accordance with rules adopted by the executive commissioner of
14 the Health and Human Services Commission. The rules may require the
15 issuer of the certified copy to verify the notarization using the
16 records of the secretary of state under Section 406.012, Government
17 Code.

18 SECTION _____.02. Section 191.022, Health and Safety Code,
19 is amended by adding Subsection (g) to read as follows:

20 (g) Each local registrar shall annually submit a
21 self-assessment report to the state registrar. The department
22 shall prescribe the information that must be included in the report
23 to allow a thorough desk audit of a local registrar.

24 SECTION _____.03. Chapter 191, Health and Safety Code, is
25 amended by adding Subchapter D to read as follows:

26 SUBCHAPTER D. ACCESS TO RECORDS

27 Sec. 191.071. CRIMINAL BACKGROUND CHECK REQUIRED. (a) A
28 person may not access vital records maintained by the department
29 under this chapter and may not access the department's vital

1 records electronic registration system unless the department, or
2 another person acting on behalf of the department, has conducted a
3 fingerprint-based criminal background check, using state and
4 federal databases, on the person in accordance with department
5 policy and the person's record is satisfactory as determined under
6 department policy.

7 (b) The department may adopt a policy waiving the
8 requirement of a fingerprint-based background check for a person
9 who previously submitted to a fingerprint-based background check as
10 a condition of licensure by a state agency.

11 SECTION ____ .04. Section 411.110(a), Government Code, as
12 amended by S.B. 219, Acts of the 84th Legislature, Regular Session,
13 2015, is amended to read as follows:

14 (a) The Department of State Health Services is entitled to
15 obtain from the department criminal history record information
16 maintained by the department that relates to:

17 (1) a person who is:

18 (A) an applicant for a license or certificate
19 under the Emergency Health Care Act (Chapter 773, Health and Safety
20 Code);

21 (B) an owner or manager of an applicant for an
22 emergency medical services provider license under that Act; or

23 (C) the holder of a license or certificate under
24 that Act;

25 (2) an applicant for a license or a license holder
26 under Subchapter N, Chapter 431, Health and Safety Code;

27 (3) an applicant for a license, the owner or manager of
28 an applicant for a massage establishment license, or a license
29 holder under Chapter 455, Occupations Code;

30 (4) an applicant for employment at or current employee
31 of:

1 (A) a public health hospital as defined by
2 Section 13.033, Health and Safety Code; or

3 (B) the South Texas Health Care System; ~~[or]~~

4 (5) an applicant for employment at, current employee
5 of, or person who contracts or may contract to provide goods or
6 services with[+]

7 ~~[(A) the vital statistics unit of the Department~~
8 ~~of State Health Services, or~~

9 ~~[(B)]~~ the Council on Sex Offender Treatment or
10 other division or component of the Department of State Health
11 Services that monitors sexually violent predators as described by
12 Section 841.003(a), Health and Safety Code; or

13 (6) a person authorized to access vital records or the
14 vital records electronic registration system under Chapter 191,
15 Health and Safety Code, including an employee of or contractor for
16 the Department of State Health Services, a local registrar, a
17 medical professional, or a funeral director.

18 SECTION _____.05. In prescribing the initial requirements
19 for local registrar self-assessment reports under Section
20 191.022(g), Health and Safety Code, as added by this article, the
21 Department of State Health Services shall solicit comment from
22 local registrars in this state.

23 SECTION _____.06. The Department of State Health Services
24 shall prescribe policies necessary to implement Subchapter D,
25 Chapter 191, Health and Safety Code, as added by this article, to
26 take effect March 1, 2016.