

## **BILL ANALYSIS**

H.B. 938  
By: Rose  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law protects and promotes the public health and welfare by providing for the development, establishment, and enforcement of certain standards in the construction, maintenance, and operation of hospitals. There is concern, however, that the law does not adequately address the improvement of deficiencies and preventable adverse events by a hospital found to have committed a violation. H.B. 938 seeks to address this concern.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 938 amends the Health and Safety Code to require the Department of State Health Services (DSHS), upon finding that a hospital has committed a violation that resulted in a potentially preventable adverse event reportable to DSHS, to require the hospital to develop and implement a plan for approval by DSHS to address the deficiencies that may have contributed to the preventable adverse event. The bill authorizes DSHS to require the plan to include staff training and education, supervision requirements for certain staff, increased staffing requirements, increased reporting to DSHS, and a review and amendment of hospital policies relating to patient safety. The bill requires DSHS to carefully and frequently monitor the hospital's adherence to the plan and to enforce compliance.

### **EFFECTIVE DATE**

September 1, 2015.