

BILL ANALYSIS

C.S.H.B. 2950
By: Klick
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The recent Ebola outbreak in Texas exposed a number of flaws in the state's readiness for infectious disease outbreaks. Preparing for future disease outbreaks will require coordination from numerous public and private entities, including hospitals, state health agencies, ambulance services, and other groups. C.S.H.B. 2950 would establish a task force to enhance the state's ability to prepare for and respond to infectious disease outbreaks.

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

C.S.H.B. 2950 amends the Health and Safety Code, as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, to create the Task Force on Infectious Disease Preparedness and Response as an advisory board to the Department of State Health Services (DSHS). The bill requires the task force to provide expert, evidence-based assessments, protocols, and recommendations related to state responses to infectious diseases, including Ebola, and a strategic emergency management plan for state and local levels of government; to develop a comprehensive plan to ensure that Texas is prepared for the potential of widespread outbreak of infectious diseases, such as the Ebola virus, and can provide rapid response that effectively protects the safety and well-being of Texas citizens; to evaluate the supplies and resources available to address an infectious disease outbreak; and to serve as a reliable and transparent source of information and education for Texas leadership and citizens. The bill requires the task force, in developing the required infectious disease preparedness plan, to use the significant expertise of medical professionals in Texas and other states; to collaborate with local government officials and local health officials; to use, as practicable, the Texas Emergency Preparedness Plan and structure; to identify various responses necessary in the event of an epidemic of infectious disease; to establish a command and control structure that will ensure effective preparations and response if the governor takes emergency action under the Texas Disaster Act of 1975 or other law; and to coordinate with appropriate entities to ensure public awareness and education regarding any pandemic threat.

C.S.H.B. 2950 sets out provisions regarding the appointment of task force members and of a director of the task force by the commissioner of state health services, specifies that task force members serve at the pleasure of the commissioner and without compensation or reimbursement for travel expenses, and requires a state or local employee appointed to the task force to perform

any duties required by the task force in addition to the employee's regular duties. The bill establishes reporting and meeting requirements for the task force and requires state agencies with members on the task force to provide administrative support for the task force. The bill requires the commissioner, as soon as practicable after the bill's effective date, to make appointments to the task force required by the bill's provisions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2950 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Chapter 81, Health and Safety Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. TASK FORCE ON INFECTIOUS DISEASE PREPAREDNESS AND RESPONSE

Sec. 81.401. DEFINITION.

Sec. 81.402. TASK FORCE; DUTIES. (a) The Task Force on Infectious Disease Preparedness and Response is created as an advisory board to the governor.

(b) The task force shall:

(1) provide expert, evidence-based assessments, protocols, and recommendations related to state responses to infectious diseases, including Ebola, and a strategic emergency management plan for state and local levels of government;

(2) develop a comprehensive plan to ensure that Texas is prepared for the potential of widespread outbreak of infectious diseases, such as the Ebola virus, and can provide rapid response that effectively protects the safety and well-being of citizens of this state;

(3) evaluate the supplies and resources available to address an infectious disease outbreak; and

(4) serve as a reliable and transparent source of information and education for Texas leadership and citizens.

(c) In developing the plan described by Subsection (b)(2), the task force shall:

HOUSE COMMITTEE SUBSTITUTE

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(3) evaluate the supplies and resources available to address an infectious disease outbreak; and

(4) serve as a reliable and transparent source of information and education for Texas leadership and citizens.

(c) In developing the plan described by Subsection (b)(2), the task force shall:

- (1) use the significant expertise of medical professionals in Texas and other states;
- (2) collaborate with local government officials and local health officials;
- (3) use, as practicable, the Texas Emergency Preparedness Plan and structure;
- (4) identify various responses necessary in the event of an epidemic of infectious disease;
- (5) establish a command and control structure that will ensure effective preparations and response if the governor takes emergency action under Chapter 418, Government Code, or other law; and
- (6) coordinate with appropriate entities to ensure public awareness and education regarding any pandemic threat.

Sec. 81.403. APPOINTMENT OF MEMBERS; TERMS. (a) The governor may appoint members of the task force as necessary, including members from relevant state agencies, members with expertise in infectious diseases and other issues involved in the prevention of the spread of infectious diseases, and members from institutions of higher education in this state.

- (b) The governor shall appoint a director of the task force from among the members of the task force.
- (c) The governor may fill any vacancy that occurs on the task force and may appoint additional members as needed.
- (d) Members of the task force serve at the pleasure of the governor.
- (e) A state or local employee appointed to the task force shall perform any duties required by the task force in addition to the

- (1) use the significant expertise of medical professionals in Texas and other states;
- (2) collaborate with local government officials and local health officials;
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- (6) coordinate with appropriate entities to ensure public awareness and education regarding any pandemic threat.

Sec. 81.403. APPOINTMENT OF MEMBERS; TERMS. (a) The commissioner may appoint members of the task force as necessary, including members from relevant state agencies, members with expertise in infectious diseases and other issues involved in the prevention of the spread of infectious diseases, and members from institutions of higher education in this state. The commissioner shall appoint to the task force:

- (1) at least one member who is a representative of a local health authority serving a rural area;
- (2) at least one member who is a representative of a local health authority serving an urban area;
- (3) at least one member who is a licensed physician;
- (4) at least one member who is a licensed nurse;
- (5) at least one member who is emergency medical services personnel, as defined by Section 773.003; and
- (6) at least one member representing a hospital.

- (b) The commissioner shall appoint a director of the task force from among the members of the task force.
- (c) The commissioner may fill any vacancy that occurs on the task force and may appoint additional members as needed.
- (d) Members of the task force serve at the pleasure of the commissioner.
- (e) A state or local employee appointed to the task force shall perform any duties required by the task force in addition to the

regular duties of the employee.

Sec. 81.404. REPORTS. (a) The task force shall report to the governor, legislature, Texas Medical Board, and any relevant medical associations as often as necessary to make recommendations for updating protocols for addressing infectious diseases.

(b) The task force shall make written reports on its findings and recommendations, including legislative recommendations, to the governor and legislature on December 1 of each even-numbered year.

Sec. 81.405. MEETINGS. (a) The task force shall meet at times and locations as determined by the director of the task force.

(b) The task force may meet telephonically.

(c) The task force may hold public hearings to gather information. The task force shall endeavor to meet in various parts of the state to encourage local input.

(d) The task force may meet in executive session to discuss matters that are confidential by state or federal law or to ensure public security or law enforcement needs.

Sec. 81.406. ADMINISTRATIVE SUPPORT.

Sec. 81.407. REIMBURSEMENT.

SECTION 2. On the effective date of this Act, a member serving on the Task Force on Infectious Disease Preparedness and Response created by executive order of the governor continues to serve on the Task Force on Infectious Disease Preparedness and Response under Subchapter J, Chapter 81, Health and Safety Code, as added by this Act.

No equivalent provision.

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(b) The task force shall make written reports on its findings and recommendations, including legislative recommendations, to the department, governor, and legislature on December 1 of each even-numbered year.

Sec. 81.405. MEETINGS. (a) The task force shall meet at times and locations as determined by the director of the task force.

(b) The task force may meet telephonically in accordance with Section 551.125(b)(3), Government Code.

(c) The task force may hold public hearings to gather information. The task force shall endeavor to meet in various parts of the state to encourage local input.

(d) Notwithstanding Section 551.144, Government Code, or any other law, the task force may hold a closed meeting to discuss matters that are confidential by state or federal law or to ensure public security or law enforcement needs. A closed meeting held as provided by this subsection must be held as otherwise provided by Chapter 551, Government Code.

Sec. 81.406. ADMINISTRATIVE SUPPORT.

Sec. 81.407. REIMBURSEMENT.

No equivalent provision.

SECTION 2. As soon as practicable after the effective date of this Act, the

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commissioner of state health services shall make appointments to the Task Force on Infectious Disease Preparedness and Response required under Subchapter J, Chapter 81, Health and Safety Code, as added by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

SECTION 3. Same as introduced version.