

By: Farrar

H.B. No. 4062

A BILL TO BE ENTITLED

1 AN ACT
2 relating to rules for hospital sanitation standards and a
3 limitation on certain Department of State Health Services rules.

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

5 SECTION 1. Section 241.026(a), Health and Safety Code, is
6 amended to read as follows:

7 (a) The executive commissioner shall adopt rules and the
8 department shall enforce the rules to further the purposes of this
9 chapter. The rules at a minimum shall address:

10 (1) minimum requirements for staffing by physicians
11 and nurses;

12 (2) hospital services relating to patient care;

13 (3) fire prevention and~~[]~~ safety~~[, and sanitation]~~
14 requirements in hospitals;

15 (4) patient care and a patient bill of rights;

16 (5) compliance with other state and federal laws
17 affecting the health, safety, and rights of hospital patients;
18 ~~[and]~~

19 (6) compliance with nursing peer review under
20 Subchapter I, Chapter 301, and Chapter 303, Occupations Code, and
21 the rules of the Texas Board of Nursing relating to peer review; and

22 (7) requirements for implementing standards for
23 sanitation procedures established to prevent infection or illness
24 in a hospital.

1 SECTION 2. Subchapter D, Chapter 1001, Health and Safety
2 Code, is amended by adding Section 1001.0745 to read as follows:

3 Sec. 1001.0745. LIMITATION ON RULEMAKING AUTHORITY FOR
4 CERTAIN RULES. The executive commissioner by rule may only
5 prescribe a medical care, health care, or health care facility
6 standard that:

7 (1) is based on widespread and peer-reviewed
8 scientific research; and

9 (2) reflects best practices as determined by the
10 medical community.

11 SECTION 3. This Act takes effect September 1, 2017.