

BILL ANALYSIS

C.S.H.B. 331
By: VanDeaver
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised about the accessibility of certain information relating to recommendations made to the Department of Public Safety by the medical advisory board regarding certain driver's license holders and applicants. C.S.H.B. 331 seeks to address these concerns and provide greater transparency by, among other provisions, revising the membership of the board.

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. 331 amends the Health and Safety Code to require the commissioner of state health services to appoint to the medical advisory board at least one representative from the Department of State Health Services (DSHS) and at least one representative from the Department of Public Safety (DPS). The bill replaces the authorization for the executive commissioner of the Health and Human Services Commission to adopt rules to govern the activities of the board with a requirement to do so. The bill requires the executive commissioner to annually appoint from among the board members a chair and a vice chair of the board and to annually review the board's rules and internal procedures. The bill requires at least one member of a panel of the board to have medical expertise relating to the medical condition of the driver's license or handgun license applicant or license holder whose application or license is being considered by the panel.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 331 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include any provisions from the original, which requires all meetings of the board or a panel of the board to be conducted in accordance with state open meetings law.

The substitute includes instead the following provisions:

- a requirement for the appointment to the board of at least one representative from DSHS and at least one representative from DPS;
- requirements for the executive commissioner to adopt rules governing the board, appoint a chair and vice chair of the board, and annually review the board's rules and procedures; and
- a requirement for at least one member of a panel of the board to have expertise relating to the medical condition of the applicant or license holder whose application or license is being considered by the panel.