

## **BILL ANALYSIS**

C.S.H.B. 1255  
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Public Health  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There are concerns that medical records regarding a pregnancy-related death are not being submitted to the Department of State Health Services (DSHS) for their analysis in a timely fashion. C.S.H.B. 1255 seeks to address this concern by requiring a hospital, birthing center, or other custodian of a patient's records to submit such medical records to DSHS not later than the 30th business day after receiving a request for the records from DSHS.

### **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. 1255 amends the Health and Safety Code to require a hospital, birthing center, or other custodian of a patient's records, not later than the 30th business day after receiving a request from the Department of State Health Services (DSHS) for records regarding a pregnancy-related death for a specific patient, to submit the records to DSHS. The bill requires such a request to be limited to a patient's medical records.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1255 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 includes the records submission requirement under statutory provisions governing the Maternal Mortality and Morbidity Task Force, which provide for the confidentiality of certain identifying information, and does not include a specific confidentiality requirement. The substitute does not include language specifying that the records are those of a patient who was pregnant at death or in the year preceding death, but the substitute applies to records regarding a "pregnancy-related death," as defined in those task force provisions.