

BILL ANALYSIS

S.B. 2150
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Public Health
Committee Report (Amended)

BACKGROUND AND PURPOSE

In 2018, the U.S. Congress passed into law the Preventing Maternal Deaths Act, which made grants available to states for the purpose of reviewing pregnancy-related and pregnancy-associated deaths in maternal mortality review committees. The Department of State Health Services (DSHS) has identified areas in which federal and state laws are not aligned in a way that allows Texas to easily apply for these funds. S.B. 2150 seeks to bring state law into alignment with federal law to allow Texas to apply for grant funding by revising certain definitions and terms and allowing health care professionals and family members to report certain data to 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

S.B. 2150 amends the Health and Safety Code to replace references to the Maternal Mortality and Morbidity Task Force in statutory provisions relating to the task force with references to the Maternal Mortality and Morbidity Review Committee. The bill defines "pregnancy-associated death" as the death of a woman by any cause that occurs during or within one year of delivery or end of pregnancy regardless of the outcome or location of the pregnancy, revises the definition of "pregnancy-related death," and makes any information pertaining to a pregnancy-associated death confidential for purposes of provisions relating to the review committee. The bill exempts a licensed health care provider, including a nurse, who is involved in obtaining information relevant to a case of pregnancy-associated death, pregnancy-related death, or severe maternal morbidity and who is required under other law to report a violation related to the provider's profession from the requirement to report the violation for obtained information.

S.B. 2150 authorizes the Department of State Health Services (DSHS) to allow voluntary and confidential reporting to DSHS of pregnancy-associated deaths and pregnancy-related deaths by health care professionals, health care facilities, and persons who complete the medical certification for a death certificate for deaths reviewed or analyzed by the Maternal Mortality and Morbidity Review Committee. The bill requires DSHS to allow voluntary and confidential reporting to DSHS of pregnancy-associated deaths and pregnancy-related deaths by family members of or other appropriate individuals associated with a deceased patient. The bill requires DSHS to post on the DSHS website the contact information of the person to whom a voluntary

and confidential report may be submitted and to conduct outreach to local health organizations on the availability of the review committee to review and analyze the deaths. The bill makes the information reported to DSHS confidential.

S.B. 2150 authorizes a member of the review committee to be reimbursed for travel or other expenses incurred by the member while conducting the business of the review committee and limits the funds that DSHS may use for such reimbursement to gifts, grants, or federal funds.

EFFECTIVE DATE

September 1, 2019.

EXPLANATION OF AMENDMENTS

Committee Amendment No. 1

Committee Amendment No. 1 amends the Special District Local Laws Code to authorize the Midland County Hospital District of Midland County, Texas, to adopt, change the rate of, or abolish a sales and use tax at an election held in the district and to use revenue from the tax for any purpose of the district authorized by law. The amendment prohibits the district from adopting a sales and use tax or increasing the rate of the tax if as a result of the adoption of the tax or the tax increase the combined rate of all sales and use taxes imposed by the district and all other political subdivisions of the state having territory in the district would exceed two percent in any location in the district. The amendment makes the County Sales and Use Tax Act applicable to a district sales and use tax in the same manner as that act applies to the tax authorized by the act, except to the extent that a provision of the amendment applies.

Committee Amendment No. 1 authorizes the district to impose a sales and use tax in increments of one-eighth of one percent, with a minimum rate of one-eighth of one percent and a maximum rate of two percent, and to increase the rate of the tax to a maximum of two percent or decrease the rate of the tax to a minimum of one-eighth of one percent if the change is approved by a majority of the voters of the district at an election called for that purpose. The amendment establishes that an election to adopt, change the rate of, or abolish a district sales and use tax is called by the adoption of an order of the district's board of directors. The amendment authorizes the board to call an election on its own motion and requires the board to call an election if a number of qualified voters in the district equal to at least five percent of the number of registered voters in the district petition the board to call the election. The amendment establishes that the adoption, change in the rate of, or abolition of a tax under the amendment's provisions relating to sales and use tax takes effect on the first day of the first calendar quarter occurring after the expiration of the first complete calendar quarter occurring after the date on which the comptroller of public accounts receives notice of the results of an election to adopt, change the rate of, or abolish the tax. If the comptroller determines that an effective date will occur before the comptroller can reasonably take the action required to begin collecting the tax or to implement the change in the rate of the tax or the abolition of the tax, the effective date may be extended by the comptroller until the first day of the next calendar quarter.

Committee Amendment No. 1 establishes that if the district is included within the boundaries of another taxing authority, defined by the amendment as any entity authorized to impose a local sales and use tax, and the adoption or increase in the rate of a district sales and use tax would result in a combined tax rate by the district and other political subdivisions of the state of more than two percent at any location in the district, an election to approve or increase the rate of the tax has no effect unless one or more of the other taxing authorities holds an election in accordance with the law governing that authority on the same date as the district election to reduce the tax rate of that authority to a rate that will result in a combined tax rate by the district and other political subdivisions of not more than two percent at any location in the district and the combined tax rate is reduced to not more than two percent as a result of that election. These

provisions of the amendment expressly do not permit a taxing authority to impose taxes at differential tax rates within the territory of the authority.

Committee Amendment No. 1 amends the Tax Code to exclude the district's sales and use tax from the definition of "additional sales and use tax" applicable to property tax assessment provisions.