By:  Phelan, et al. (Senate Sponsor - Kolkhorst) H.B. No. 1256

(In the Senate - Received from the House April 11, 2019; April 15, 2019, read first time and referred to Committee on Health & Human Services; May 8, 2019, reported favorably by the following vote: Yeas 9, Nays 0; May 8, 2019, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Kolkhorst         X

Perry             X

Buckingham        X

Campbell          X

Flores            X

Johnson           X

Miles             X

Powell            X

Seliger           X

A BILL TO BE ENTITLED

AN ACT

relating to access by certain persons to a first responder's immunization history.

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

SECTION 1.  Subchapter A, Chapter 161, Health and Safety Code, is amended by adding Section 161.00708 to read as follows:

Sec. 161.00708.  ACCESS TO FIRST RESPONDER IMMUNIZATION HISTORY. (a) The department shall establish a process to provide an employer of a first responder with direct access to the first responder's immunization information in the immunization registry for verification of the first responder's immunization history. The process must require a first responder to provide electronic or written consent before the employer is granted direct access to the first responder's immunization information in the immunization registry. A first responder may withdraw consent at any time.

(b)  The department may establish a process to provide a first responder with access to the first responder's immunization information in the immunization registry.

SECTION 2.  Section 161.008(d), Health and Safety Code, is amended to read as follows:

(d)  The department may release the data constituting an immunization record for the individual to:

(1)  any entity that is described by Subsection (c);

(2)  a school or child care facility in which the individual is enrolled; [~~or~~]

(3)  a state agency having legal custody of the individual; or

(4)  an employer of a first responder or a first responder in accordance with Section 161.00708.

SECTION 3.  Not later than January 1, 2020, the executive commissioner of the Health and Human Services Commission shall adopt rules as necessary to implement the changes in law made by this Act.

SECTION 4.  This Act takes effect September 1, 2019.

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