

1-1 By: Miller (Senate Sponsor - Buckingham) H.B. No. 531
 1-2 (In the Senate - Received from the House April 23, 2019;
 1-3 April 29, 2019, read first time and referred to Committee on Health
 1-4 & Human Services; May 16, 2019, reported favorably by the following
 1-5 vote: Yeas 9, Nays 0; May 16, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the retention by hospitals and physicians of certain
 1-20 medical records of a sexual assault victim.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter E, Chapter 241, Health and Safety
 1-23 Code, is amended by adding Section 241.1031 to read as follows:

1-24 Sec. 241.1031. PRESERVATION OF RECORD FROM FORENSIC MEDICAL
 1-25 EXAMINATION. (a) A hospital may not destroy a medical record from
 1-26 the forensic medical examination of a sexual assault victim
 1-27 conducted under Article 56.06 or 56.065, Code of Criminal
 1-28 Procedure, until the 20th anniversary of the date the record was
 1-29 created.

1-30 (b) A hospital may maintain a medical record described by
 1-31 Subsection (a) in the same form in which the hospital maintains
 1-32 other medical records.

1-33 SECTION 2. Section 153.003, Occupations Code, is amended to
 1-34 read as follows:

1-35 Sec. 153.003. RULES REGARDING MAINTENANCE OF PATIENT
 1-36 RECORDS. (a) The board by rule shall establish the period for
 1-37 which patient records must be maintained.

1-38 (b) The rules adopted under this section must prohibit a
 1-39 physician from destroying a medical record from the forensic
 1-40 medical examination of a sexual assault victim conducted under
 1-41 Article 56.06 or 56.065, Code of Criminal Procedure, until the 20th
 1-42 anniversary of the date the record was created.

1-43 SECTION 3. The changes in law made by this Act apply only to
 1-44 a medical record created on or after March 1, 2020. A medical
 1-45 record created before March 1, 2020, is governed by the law in
 1-46 effect on the date the record was created, and the former law is
 1-47 continued in effect for that purpose.

1-48 SECTION 4. This Act takes effect September 1, 2019.

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