

By: Phelan, et al.

H.B. No. 1256

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

1 individual is enrolled; [~~or~~]

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

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

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

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