

By: Nelson, et al.

S.B. No. 71

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a statewide telehealth center for sexual assault forensic medical examination.

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

SECTION 1. Chapter 420, Government Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. STATEWIDE TELEHEALTH CENTER FOR SEXUAL ASSAULT

FORENSIC MEDICAL EXAMINATION

Sec. 420.101. DEFINITIONS. In this subchapter:

(1) "Center" means the statewide telehealth center for sexual assault forensic medical examination.

(2) "Telehealth service" has the meaning assigned by Section 111.001, Occupations Code.

Sec. 420.102. ESTABLISHMENT OF CENTER. The attorney general shall establish the statewide telehealth center for sexual assault forensic medical examination to expand access to sexual assault nurse examiners for underserved populations.

Sec. 420.103. POWERS OF CENTER. (a) In accordance with other law, the center may facilitate in person or through telecommunications or information technology the provision by a sexual assault nurse examiner of:

(1) training or technical assistance to a sexual assault examiner on:

(A) conducting a forensic medical examination on

1 a survivor; and

2 (B) the use of telehealth services; and

3 (2) consultation services, guidance, or technical
4 assistance to a sexual assault examiner during a forensic medical
5 examination on a survivor.

6 (b) With permission from the facility or entity where a
7 forensic medical examination on a survivor is conducted and to the
8 extent authorized by other law, the center may facilitate the use of
9 telehealth services during a forensic medical examination on a
10 survivor.

11 (c) The center may deliver other services as requested by
12 the attorney general to carry out the purposes of this subchapter.

13 Sec. 420.104. OPERATION PROTOCOLS REQUIRED. (a) The
14 center and the attorney general shall develop operation protocols
15 to address compliance with applicable laws and rules governing:

16 (1) telehealth services;

17 (2) standards of professional conduct for licensure
18 and practice;

19 (3) standards of care;

20 (4) maintenance of records;

21 (5) technology requirements;

22 (6) data privacy and security of patient information;

23 and

24 (7) the operation of a telehealth center.

25 (b) The center shall make every effort to ensure the system
26 through which the center operates for the provision of telehealth
27 services meets national standards for interoperability to connect

1 to telehealth systems outside of the center.

2 Sec. 420.105. AUTHORIZED CONTRACTS. The attorney general
3 may enter into any contract the attorney general considers
4 necessary to implement this subchapter, including a contract to:

5 (1) develop, implement, maintain, or operate the
6 center;

7 (2) train or provide technical assistance for health
8 care professionals on conducting forensic medical examinations and
9 the use of telehealth services; or

10 (3) provide consultation, guidance, or technical
11 assistance for health care professionals using telehealth services
12 during a forensic medical examination.

13 Sec. 420.106. FUNDING. (a) The legislature may
14 appropriate money to the attorney general to establish the center.

15 (b) The attorney general may provide funds to the center
16 for:

17 (1) establishing and maintaining the operations of the
18 center;

19 (2) training conducted by or through the center;

20 (3) travel expenses incurred by a sexual assault nurse
21 examiner for:

22 (A) carrying out the nurse's duties under Section
23 420.103(a); or

24 (B) testifying as a witness outside the nurse's
25 county of residence;

26 (4) equipment and software applications for the
27 center; and

1 (5) any other purpose considered appropriate by the
2 attorney general.

3 Sec. 420.107. CONSULTATION REQUIRED. In implementing this
4 subchapter, the attorney general shall consult with persons with
5 expertise in medicine and forensic medical examinations, a
6 statewide sexual assault coalition, a statewide organization with
7 expertise in the operation of children's advocacy programs, and
8 attorneys with expertise in prosecuting sexual assault offenses.

9 Sec. 420.108. RULES. The attorney general may adopt rules
10 as necessary to implement this subchapter.

11 SECTION 2. This Act takes effect September 1, 2019.