

1-1 By: Nelson, Alvarado, Hall S.B. No. 71
 1-2 (In the Senate - Filed November 12, 2018; February 1, 2019,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 March 7, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; March 7, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 71 By: Nelson

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the establishment of a statewide telehealth center for
 1-22 sexual assault forensic medical examination.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 420, Government Code, is amended by
 1-25 adding Subchapter E to read as follows:

1-26 SUBCHAPTER E. STATEWIDE TELEHEALTH CENTER FOR SEXUAL ASSAULT
 1-27 FORENSIC MEDICAL EXAMINATION

1-28 Sec. 420.101. DEFINITIONS. In this subchapter:

1-29 (1) "Center" means the statewide telehealth center for
 1-30 sexual assault forensic medical examination.

1-31 (2) "Telehealth service" has the meaning assigned by
 1-32 Section 111.001, Occupations Code.

1-33 Sec. 420.102. ESTABLISHMENT OF CENTER. The attorney
 1-34 general shall establish the statewide telehealth center for sexual
 1-35 assault forensic medical examination to expand access to sexual
 1-36 assault nurse examiners for underserved populations.

1-37 Sec. 420.103. POWERS OF CENTER. (a) In accordance with
 1-38 other law, the center may facilitate in person or through
 1-39 telecommunications or information technology the provision by a
 1-40 sexual assault nurse examiner of:

1-41 (1) training or technical assistance to a sexual
 1-42 assault examiner on:

1-43 (A) conducting a forensic medical examination on
 1-44 a survivor; and

1-45 (B) the use of telehealth services; and

1-46 (2) consultation services, guidance, or technical
 1-47 assistance to a sexual assault examiner during a forensic medical
 1-48 examination on a survivor.

1-49 (b) With permission from the facility or entity where a
 1-50 forensic medical examination on a survivor is conducted and to the
 1-51 extent authorized by other law, the center may facilitate the use of
 1-52 telehealth services during a forensic medical examination on a
 1-53 survivor.

1-54 (c) The center may deliver other services as requested by
 1-55 the attorney general to carry out the purposes of this subchapter.

1-56 Sec. 420.104. OPERATION PROTOCOLS REQUIRED. (a) The
 1-57 center and the attorney general shall develop operation protocols
 1-58 to address compliance with applicable laws and rules governing:

1-59 (1) telehealth services;

1-60 (2) standards of professional conduct for licensure

2-1 and practice;
 2-2 (3) standards of care;
 2-3 (4) maintenance of records;
 2-4 (5) technology requirements;
 2-5 (6) data privacy and security of patient information;
 2-6 and
 2-7 (7) the operation of a telehealth center.

2-8 (b) The center shall make every effort to ensure the system
 2-9 through which the center operates for the provision of telehealth
 2-10 services meets national standards for interoperability to connect
 2-11 to telehealth systems outside of the center.

2-12 Sec. 420.105. AUTHORIZED CONTRACTS. The attorney general
 2-13 may enter into any contract the attorney general considers
 2-14 necessary to implement this subchapter, including a contract to:

2-15 (1) develop, implement, maintain, or operate the
 2-16 center;

2-17 (2) train or provide technical assistance for health
 2-18 care professionals on conducting forensic medical examinations and
 2-19 the use of telehealth services; or

2-20 (3) provide consultation, guidance, or technical
 2-21 assistance for health care professionals using telehealth services
 2-22 during a forensic medical examination.

2-23 Sec. 420.106. FUNDING. (a) The legislature may
 2-24 appropriate money to the attorney general to establish the center.

2-25 (b) The attorney general may provide funds to the center
 2-26 for:

2-27 (1) establishing and maintaining the operations of the
 2-28 center;

2-29 (2) training conducted by or through the center;

2-30 (3) travel expenses incurred by a sexual assault nurse
 2-31 examiner for:

2-32 (A) carrying out the nurse's duties under Section
 2-33 420.103(a); or

2-34 (B) testifying as a witness outside the nurse's
 2-35 county of residence;

2-36 (4) equipment and software applications for the
 2-37 center; and

2-38 (5) any other purpose considered appropriate by the
 2-39 attorney general.

2-40 Sec. 420.107. CONSULTATION REQUIRED. In implementing this
 2-41 subchapter, the attorney general shall consult with persons with
 2-42 expertise in medicine and forensic medical examinations, a
 2-43 statewide sexual assault coalition, a statewide organization with
 2-44 expertise in the operation of children's advocacy programs, and
 2-45 attorneys with expertise in prosecuting sexual assault offenses.

2-46 Sec. 420.108. RULES. The attorney general may adopt rules
 2-47 as necessary to implement this subchapter.

2-48 SECTION 2. This Act takes effect September 1, 2019.

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