

By: Nelson

S.B. No. 384

A BILL TO BE ENTITLED

AN ACT

relating to the reporting of health care-associated infections and preventable adverse events at health care facilities.

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

SECTION 1. Section 98.103, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) A health care facility~~[, other than a pediatric and adolescent hospital,]~~ shall report to the department each health care-associated infection ~~[the incidence of surgical site infections]~~, including the causative pathogen if the infection is laboratory-confirmed, that occurs ~~[occurring]~~ in the facility and that the federal Centers for Medicare and Medicaid Services requires a facility participating in the Medicare program to report through the federal Centers for Disease Control and Prevention's National Healthcare Safety Network, or its successor ~~[following procedures:~~

~~[(1) colon surgeries,~~

~~[(2) hip arthroplasties,~~

~~[(3) knee arthroplasties,~~

~~[(4) abdominal hysterectomies,~~

~~[(5) vaginal hysterectomies,~~

~~[(6) coronary artery bypass grafts, and~~

~~[(7) vascular procedures].~~

1        (a-1) A health care facility shall report each health  
2 care-associated infection to the department under this section  
3 regardless of the facility's participation in Medicare.

4        SECTION 2. The following provisions of the Health and  
5 Safety Code are repealed:

- 6            (1) Section 98.001(10);
- 7            (2) Sections 98.103(b) and (c); and
- 8            (3) Section 98.105.

9        SECTION 3. (a) The executive commissioner of the Health  
10 and Human Services Commission shall adopt rules as necessary to  
11 implement Section 98.103, Health and Safety Code, as amended by  
12 this Act, not later than January 1, 2020.

13        (b) Section 98.103, Health and Safety Code, as amended by  
14 this Act, applies only to a report for a health care-associated  
15 infection occurring on or after January 1, 2020. A report for a  
16 health care-associated infection occurring before that date is  
17 governed by the law as it existed on the date the infection  
18 occurred, and that law is continued in effect for that purpose.

19        SECTION 4. The Health and Human Services Commission is  
20 required to implement a provision of this Act only if the  
21 legislature appropriates money specifically for that purpose. If  
22 the legislature does not appropriate money specifically for that  
23 purpose, the commission may, but is not required to, implement a  
24 provision of this Act using other appropriations available for that  
25 purpose.

26        SECTION 5. This Act takes effect September 1, 2019.