

Amend **SB 968** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 418, Government Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. WELLNESS CHECKS FOR MEDICALLY FRAGILE INDIVIDUALS  
DURING CERTAIN EMERGENCIES

Sec. 418.301. DEFINITIONS. In this subchapter:

(1) "Commission" means the Health and Human Services Commission.

(2) "Department" means the Department of State Health Services.

(3) "Emergency assistance registry" means the registry maintained by the division that provides local emergency planners and emergency responders with additional information on the needs of certain individuals in their communities.

(4) "First responder" means any federal, state, or local personnel who may respond to a disaster, including:

(A) public health and public safety personnel;

(B) commissioned law enforcement personnel;

(C) fire protection personnel, including volunteer firefighters;

(D) emergency medical services personnel, including hospital emergency facility staff;

(E) a member of the National Guard; or

(F) a member of the Texas State Guard.

(5) "Medically fragile individual" means any individual who, during a time of disaster or emergency, would be particularly vulnerable because of a medical condition, including individuals:

(A) with Alzheimer's disease and other related disorders;

(B) receiving dialysis services;

(C) who are diagnosed with a debilitating chronic illness;

(D) who are dependent on oxygen treatment; and

(E) who have medical conditions that require

24-hour supervision from a skilled nurse.

Sec. 418.302. MEDICALLY FRAGILE INDIVIDUAL DESIGNATION.

The division shall develop a process for designating individuals who are included in the emergency assistance registry as medically fragile for the purposes of this chapter.

Sec. 418.303. EMERGENCY ASSISTANCE REGISTRY ACCESS. The division shall authorize the following persons to access the emergency assistance registry to assist medically fragile individuals during an event described by Section 418.305:

- (1) the commission;
- (2) the department;
- (3) first responders;
- (4) local governments; and
- (5) local health departments.

Sec. 418.304. REQUIRED WELLNESS CHECK. The division shall collaborate with the persons authorized to access the emergency assistance registry under Section 418.303 and with applicable municipalities and counties to ensure that a wellness check is conducted on each medically fragile individual listed in the emergency assistance registry and located in an area that experiences an event described by Section 418.305 to ensure the individual has:

- (1) continuity of care; and
- (2) the ability to continue using electrically powered medical equipment, if applicable.

Sec. 418.305. EVENTS REQUIRING WELLNESS CHECKS. (a) The division, in collaboration with the commission and the department, shall adopt rules regarding which events require a wellness check, including:

- (1) an extended power, water, or gas outage;
- (2) a state of disaster declared under this chapter;

or

(3) any other event considered necessary by the commission, the department, or the division.

(b) If more than one disaster is declared for the same event, or the same event qualifies as an event requiring a wellness check for multiple reasons under Subsection (a), only one wellness

check is required to be conducted under this subchapter.

Sec. 418.306. REQUIREMENTS FOR WELLNESS CHECK. (a) The division, in collaboration with the commission and the department, by rule shall develop minimum standards for conducting wellness checks. Each county and municipality shall adopt procedures for conducting wellness checks in compliance with the minimum standards.

(b) A wellness check on a medically fragile individual under this subchapter must:

(1) include:

(A) an automated telephone call and text to the individual;

(B) a personalized telephone call to the individual; and

(C) if the individual is unresponsive to a telephone call under Paragraph (B), an in-person wellness check; and

(2) be conducted in accordance with the minimum standards prescribed by division rule and the procedures of the applicable county or municipality.

(c) A wellness check must be conducted as soon as practicable but not later than 24 hours after the event requiring a wellness check occurs.

Sec. 418.307. RULES. The division, in collaboration with the commission and the department, shall adopt rules to implement this subchapter.

SECTION \_\_\_\_\_. As soon as practicable after the effective date of this Act, the Texas Division of Emergency Management shall adopt the rules necessary to implement Subchapter J, Chapter 418, Government Code, as added by this Act.