

BILL ANALYSIS

C.S.H.B. 797
By: Howard
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There are concerns that home care and hospice nurses in Texas are unable to administer the COVID-19 vaccine to their patients due to statutory limitations on the types of vaccines that home and community support services agencies and their employees are allowed to possess. This could prevent Texans receiving home care, who are often medically vulnerable and elderly, from being able to receive the vaccine safely in their homes similar to how they receive other health care services. C.S.H.B. 797 seeks to address this issue by providing narrow authority to a home and community support services agency and certain of its employees to possess any FDA-approved vaccine meant to treat or mitigate the spread of a communicable disease.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 797 amends the Health and Safety Code to authorize a home and community support services agency or its employees who are registered nurses or licensed vocational nurses to purchase, store, or transport for the purpose of administering to the agency's employees, home health or hospice patients, or patient family members under physician's standing orders any vaccine approved by the FDA to treat or mitigate the spread of a communicable disease.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 797 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.