BILL ANALYSIS

C.S.H.B. 1802
By: Dominguez
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been argued that alternative forms of medical therapies could be capable of aiding veterans with treatment-resistant post-traumatic stress disorder. C.S.H.B. 1802 provides for a study on the efficacy of using alternative therapies to treat these veterans, including specific requirements for clinical trials and reporting requirements.

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. 1802 requires the Health and Human Services Commission (HHSC), in collaboration with Baylor College of Medicine and in partnership with a military veterans hospital or a medical center that provides medical care to veterans, to conduct a study on the efficacy of using alternative therapies, including the use of 3,4-methylenedioxymethamphetamine (MDMA), psilocybin, and ketamine, in the treatment of veterans who suffer from post-traumatic stress disorder. The bill requires HHSC, in conducting the study, to do the following in collaboration with the Baylor College of Medicine:

- perform a clinical trial on the therapeutic efficacy of using psilocybin in the treatment of treatment-resistant post-traumatic stress disorder in veterans; and
- review current literature regarding:
    - the safety and efficacy of 3,4-methylenedioxymethamphetamine (MDMA), psilocybin, and ketamine in the treatment of post-traumatic stress disorder; and
    - the access veterans have to 3,4-methylenedioxymethamphetamine (MDMA), psilocybin, and ketamine for treatment of post-traumatic stress disorder in the United States.

C.S.H.B. 1802 requires HHSC to prepare and submit to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the legislature:

- quarterly reports on the progress of the study; and
- not later than December 1, 2024, a written report containing the results of the study and any recommendations for legislative or other action.

HHSC must ensure any protected health information collected during a clinical trial or reported does not personally identify an individual. The bill's provisions expire September 1, 2025.

EFFECTIVE DATE

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

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1802 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

With respect to the entities that are involved in conducting the study, the substitute makes the following changes:

- replaces the Department of State Health Services (DSHS) with HHSC as the state agency that conducts the study;
- replaces the Texas Medical Board with the Baylor College of Medicine as the state agency with whom HHSC collaborates in the conducting the study; and
- includes a requirement not in the original for the study to be conducted in partnership with a military veterans hospital or a medical center that provides medical care to veterans.

The substitute changes the scope of the study from the original specification of the treatment of mental health and other medical conditions, including post-traumatic stress disorder and five other specified conditions, to the treatment of post-traumatic stress disorder in veterans.

Instead of requiring a comparison of the efficacy of alternative therapies and the efficacy of current treatments, as in the original, the substitute requires the performance of a particular clinical trial and requires a certain review.

The substitute includes a quarterly reporting requirement on the progress of the study, which was not in the original. The substitute includes a provision not in the original regarding the protection of personal health information.

The substitute changes the deadline by which HHSC must submit its final report from not later than December 1, 2022, to not later than December 1, 2024, and changes the expiration of the bill's provisions from September 1, 2023, to September 1, 2025.