

## **BILL ANALYSIS**

H.B. 3980  
By: Goodwin  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

When a Muslim dies, it is the responsibility of the family of the deceased or other Muslims within the local community to wash the body according to Islamic rites. Usually at least three to four people will be involved with the actual ghusl (washing and shrouding). In many communities, volunteers assist with the ghusl ceremony once the body has been transported to a funeral home. These volunteers have expressed concern that they often encounter bodies that still have medical equipment such as catheters, intravenous lines, feeding tubes, and bandages attached.

Currently, health facilities are not required to remove medical equipment from a body before transferring it to a funeral director. Individuals with no medical training having to remove this equipment raises health and sanitation concerns, in addition to generating the obvious possibility of emotional discomfort. H.B. 3980 seeks to address this issue by requiring health facilities to remove all medical equipment from a deceased person's body prior to the body being transferred to a funeral director.

### **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**

H.B. 3980 amends the Health and Safety Code to require a state-licensed health facility to remove all medical equipment, as defined by the bill, from the body of an individual who dies in the facility before the body is transferred to a funeral director. The bill requires the Health and Human Services Commission to impose an administrative penalty against a facility that does not comply with that requirement and caps the amount of the penalty for each violation at \$500.

### **EFFECTIVE DATE**

September 1, 2021.