

BILL ANALYSIS

Senate Research Center

S.B. 437
By: Blanco
Health & Human Services
6/1/2021
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

When COVID-19 cases spiked in March of 2020, the high demand and delayed imports of personal protective equipment (PPE) caused a shortage of PPE in Texas. Respirator masks, gloves, gowns, and other equipment were scarce and expensive, creating unsafe working conditions for essential personnel at hospitals and particularly nursing homes. In his 2022-2023 budget, Governor Abbott recommended the legislature address the critical storage need to ensure the future availability of PPE.

S.B. 437 requires the Texas Division of Emergency Management to establish the Personal Protective Equipment Reserve Advisory Committee composed of various health care and essential personnel representatives.

(Original Author's / Sponsor's Statement of Intent)

S.B. 437 amends current law relating to the establishment of a personal protective equipment reserve advisory committee.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 81, Health and Safety Code, by adding Section 81.016, as follows:

Sec. 81.016. PERSONAL PROTECTIVE EQUIPMENT RESERVE ADVISORY COMMITTEE. (a) Defines "division."

(b) Requires the Texas Division of Emergency Management (TDEM) to establish the Personal Protective Equipment Reserve Advisory Committee (advisory committee), and sets forth the composition of the advisory committee to be appointed by TDEM.

(c) Requires the advisory committee to make recommendations to TDEM as necessary on the procurements needed for a statewide personal protective equipment reserve, the storage of the equipment in the reserve, and the distribution of the equipment to health care workers and essential personnel.

(d) Provides that this section expires and the advisory committee is abolished September 1, 2023.

SECTION 2. Requires TDEM, as soon as practicable after the effective date of this Act, to appoint members to the advisory committee established under Section 81.016, Health and Safety Code, as added by this Act.

SECTION 3. Provides that TDEM is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose or if federal money is provided to this state and by law made available to TDEM for the purposes of this Act. Provides that if the legislature does not appropriate money specifically for that purpose and federal money is not available for that purpose, TDEM is authorized, but is not required, to implement a provision of this Act using other appropriations that are available for that purpose.

SECTION 4. Effective date: upon passage or September 1, 2021.