

By: Lucio III

H.B. No. 728

A BILL TO BE ENTITLED

AN ACT

relating to public health laboratory testing capabilities in certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter F, Chapter 12, Health and Safety Code, is amended by adding Sections 12.0725, 12.073, and 12.074 to read as follows:

Sec. 12.0725. PUBLIC HEALTH LABORATORY REPORT. (a) Not later than September 1, 2022, the department shall prepare and submit a written or electronic report to the legislature on public laboratories in counties adjacent to the Texas-Mexico border. The report must include:

(1) information on the existing testing capabilities of the public laboratories, focusing on clinical, environmental, and zoonotic testing capabilities; and

(2) recommendations to increase the efficiency, effectiveness, and productivity of the public laboratories through administrative action and legislation.

(b) The department shall collaborate with local health departments established under Subchapter D, Chapter 121, and public and private testing laboratories to collect information and develop recommendations for the report.

(c) This section expires September 1, 2023.

Sec. 12.073. LOCAL AGREEMENTS TO INCREASE LABORATORY

1 TESTING. (a) Using available resources and as the department  
2 determines appropriate, the department shall enter into agreements  
3 with institutions of higher education as defined by Section 61.003,  
4 Education Code, and public and private testing laboratories in this  
5 state to increase the availability of public health laboratory  
6 testing services for local health departments established under  
7 Subchapter D, Chapter 121, in counties adjacent to the Texas-Mexico  
8 border.

9 (b) The agreements must establish protocols that:

10 (1) ensure confidentiality of the laboratory testing;

11 (2) require the testing procedures to satisfy state  
12 standards for laboratory testing;

13 (3) provide cost-effective resources to local health  
14 departments to increase the availability of laboratory testing in  
15 border counties;

16 (4) enhance the laboratory testing capacity,  
17 including testing of human and nonhuman specimens, in border  
18 counties; and

19 (5) ensure the efficiency, effectiveness, and  
20 accuracy of laboratory test results.

21 Sec. 12.074. YEAR-ROUND ACCESS TO LABORATORY TESTING FOR  
22 VECTOR-BORNE AND ZOONOTIC DISEASES. (a) Using available resources  
23 and as the department determines appropriate, the department shall  
24 support access to year-round laboratory testing for vector-borne  
25 and zoonotic diseases to record and address local outbreaks of  
26 vector-borne and zoonotic diseases in border counties that are most  
27 at risk for the year-round outbreaks, including Maverick, Val

1 Verde, Webb, Zapata, Starr, Hidalgo, Willacy, and Cameron Counties.

2 (b) The department may directly authorize access to the  
3 testing or may enter into a local agreement under Section 12.073 to  
4 authorize access to the testing. The testing may include, as  
5 appropriate:

6 (1) arboviral testing;

7 (2) speciation testing;

8 (3) PCR testing;

9 (4) IgM testing;

10 (5) IgG testing; and

11 (6) any other testing the department determines  
12 appropriate.

13 SECTION 2. The Department of State Health Services is  
14 required to implement a provision of this Act only if the  
15 legislature appropriates money specifically for that purpose. If  
16 the legislature does not appropriate money specifically for that  
17 purpose, the department may, but is not required to, implement a  
18 provision of this Act using other appropriations available for that  
19 purpose.

20 SECTION 3. This Act takes effect September 1, 2021.