

By: Turner of Dallas

H.B. No. 2538

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the Task Force on Infectious Disease Preparedness and
3 Response.

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

5 SECTION 1. Section 81.402, Health and Safety Code, is
6 amended to read as follows:

7 Sec. 81.402. PURPOSE AND FINDINGS. The legislature finds
8 that:

9 (1) infectious diseases are responsible for more
10 deaths worldwide than any other single cause;

11 (2) the State of Texas has a responsibility to
12 safeguard and protect the health and well-being of its citizens
13 from the spread of infectious diseases;

14 (3) ~~[on September 30, 2014, the first case of Ebola~~
15 ~~diagnosed in the United States occurred in Dallas, Texas,~~

16 ~~[(4)]~~ addressing infectious diseases requires the
17 coordination and cooperation of multiple governmental entities at
18 the local, state, and federal levels;

19 (4) ~~[(5)]~~ public health and medical preparedness and
20 response guidelines are crucial to protect the safety and welfare
21 of our citizens; and

22 (5) ~~[(6)]~~ Texas has nationally recognized infectious
23 disease experts and other highly trained professionals across the
24 state with the experience needed to minimize any potential risk to

1 the people of Texas.

2 SECTION 2. Section 81.403, Health and Safety Code, is
3 amended to read as follows:

4 Sec. 81.403. TASK FORCE; DUTIES. (a) The Task Force on
5 Infectious Disease Preparedness and Response is created as an
6 advisory panel to the governor and the legislature.

7 (b) The task force shall:

8 (1) provide expert, evidence-based assessments,
9 protocols, and recommendations related to state responses to
10 infectious diseases [~~, including Ebola~~]; [~~and~~]

11 (2) develop a strategic emergency plan for use by
12 local governments and agencies;

13 (3) develop a comprehensive plan to ensure this state
14 is prepared for a widespread outbreak of an infectious disease and
15 has the resources and infrastructure to provide a rapid response
16 that effectively protects the safety and well-being of this state's
17 residents;

18 (4) evaluate the supplies and resources available to
19 address an infectious disease outbreak; and

20 (5) serve as a reliable and transparent source of
21 information and education for Texas leadership and citizens.

22 (c) In developing the plan described by Subsection (b)(3),
23 the task force shall:

24 (1) use the significant expertise of medical
25 professionals in this state and other states;

26 (2) collaborate with local government officials and
27 local health officials;

1 (3) use, as practicable, the state emergency
2 management plan and structure;

3 (4) identify various responses necessary to address an
4 epidemic or pandemic of infectious disease;

5 (5) establish a command and control structure that
6 will ensure effective preparations and response if the governor
7 declares a state of disaster under Chapter 418, Government Code, or
8 takes other emergency action under other law; and

9 (6) coordinate with appropriate entities to ensure
10 public awareness and education regarding any epidemic or pandemic
11 threat.

12 SECTION 3. Section 81.404, Health and Safety Code, is
13 amended by amending Subsections (a), (b), (c), and (d) and adding
14 Subsection (f) to read as follows:

15 (a) The commissioner [~~governor~~] may appoint members of the
16 task force as necessary, including members from relevant state
17 agencies, members with expertise in infectious diseases and other
18 issues involved in the prevention of the spread of infectious
19 diseases, and members from institutions of higher education in this
20 state. In appointing the members, the commissioner shall ensure
21 that the membership of the task force reflects the ethnic,
22 economic, and geographic diversity of this state. The commissioner
23 [~~governor~~] shall appoint to the task force:

24 (1) at least one member who is a county judge of a
25 county with a population of less than 100,000;

26 (2) at least one member who is a county judge of a
27 county with a population of 100,000 or more;

1 (3) at least one member who is a county judge of a
2 county with a population of 1 million or more;

3 (4) at least one member who is a representative of a
4 local health authority serving a rural area;

5 (5) [~~(4)~~] at least one member who is a representative
6 of a local health authority serving an urban area;

7 (6) [~~(5)~~] at least one member who is a licensed nurse;

8 (7) at least one member who is a physician licensed in
9 this state;

10 (8) at least one member who is a representative of a
11 hospital system;

12 (9) at least three members who each serve as president
13 of a publicly supported medical school or health-related
14 institution of higher education, or an employee designated by each
15 president;

16 (10) at least one member who is a representative of a
17 business with less than 100 employees;

18 (11) at least one member who is a representative of a
19 business with more than 100 employees;

20 (12) at least one member who is a representative of an
21 organization that advocates on behalf of employees and workers in
22 this state; and

23 (13) [~~(6)~~] at least one member who is emergency
24 medical services personnel, as defined by Section 773.003.

25 (b) The commissioner [~~governor~~] shall appoint a director of
26 the task force from among the members of the task force.

27 (c) The commissioner [~~governor~~] may fill any vacancy that

1 occurs on the task force and may appoint additional members as
2 needed.

3 (d) Members of the task force serve at the pleasure of the
4 commissioner [~~governor~~].

5 (f) The commissioner may establish one or more working
6 groups composed of task force members to study, discuss, and
7 address specific policy issues and recommendations. The working
8 groups shall refer the issues and recommendations to the task force
9 for further consideration.

10 SECTION 4. Section 81.405, Health and Safety Code, is
11 amended to read as follows:

12 Sec. 81.405. REPORTS. (a) Not later than September 1 of each
13 even-numbered year, the [The] task force shall prepare and submit
14 to the governor and the legislature [may make] written reports on
15 its findings and recommendations, including legislative
16 recommendations[~~, to the governor and legislature~~].

17 (b) The task force shall report to the department, governor,
18 and legislature as often as is necessary to make recommendations
19 for updating protocols addressing infectious diseases.

20 SECTION 5. Section 81.407, Health and Safety Code, is
21 amended to read as follows:

22 Sec. 81.407. ADMINISTRATIVE SUPPORT. (a) State agencies
23 with members on the task force shall provide administrative support
24 for the task force.

25 (b) The legislature may appropriate money to the department
26 for the administrative and operational expenses of the task force.

27 SECTION 6. Section 81.408, Health and Safety Code, is

1 amended to read as follows:

2 Sec. 81.408. REIMBURSEMENT. (a) Except as provided by
3 Subsection (b), task [~~Task~~] force members serve without
4 compensation and are not entitled to reimbursement for travel
5 expenses.

6 (b) The task force members are entitled to reimbursement for
7 actual and necessary expenses incurred in serving on the task
8 force.

9 SECTION 7. Subchapter J, Chapter 81, Health and Safety
10 Code, is amended by adding Section 81.409 to read as follows:

11 Sec. 81.409. INFECTIOUS DISEASE EMERGENCY PREPAREDNESS
12 FACILITIES AT HEALTH CARE-RELATED INSTITUTIONS. The commission may
13 enter into contracts or agreements to assist in the establishment
14 of infectious disease emergency preparedness facilities at health
15 care-related institutions in this state. The contracts or
16 agreements may provide for:

17 (1) developing and equipping the infectious disease
18 emergency preparedness facilities; and

19 (2) purchasing materials, equipment, services, or
20 other items the commission considers necessary to implement this
21 section.

22 SECTION 8. As soon as practicable after the effective date
23 of this Act, the commissioner of state health services shall make
24 appointments to the Task Force on Infectious Disease Preparedness
25 and Response required under Subchapter J, Chapter 81, Health and
26 Safety Code, as amended by this Act.

27 SECTION 9. This Act takes effect September 1, 2021.