

1-1 By: Blanco S.B. No. 437  
 1-2 (In the Senate - Filed January 26, 2021; March 9, 2021, read  
 1-3 first time and referred to Committee on Health & Human Services;  
 1-4 April 20, 2021, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 20, 2021,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 437 By: Perry

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to a personal protective equipment reserve advisory  
 1-22 committee established by the Texas Division of Emergency  
 1-23 Management.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-25 SECTION 1. Subchapter A, Chapter 81, Health and Safety  
 1-26 Code, is amended by adding Section 81.016 to read as follows:

1-27 Sec. 81.016. PERSONAL PROTECTIVE EQUIPMENT RESERVE  
 1-28 ADVISORY COMMITTEE. (a) In this section, "division" means the  
 1-29 Texas Division of Emergency Management.

1-30 (b) The division shall establish the Personal Protective  
 1-31 Equipment Reserve Advisory Committee composed of the following  
 1-32 members appointed by the division:

1-33 (1) one representative of an association representing  
 1-34 different types of hospitals and health systems;

1-35 (2) one representative of an association representing  
 1-36 nursing facilities;

1-37 (3) one representative of an association representing  
 1-38 primary care clinics;

1-39 (4) one representative of an association representing  
 1-40 nurses;

1-41 (5) one representative of an association representing  
 1-42 home hospice care providers;

1-43 (6) one representative of a statewide association  
 1-44 representing physicians;

1-45 (7) two representatives of labor organizations that  
 1-46 represent essential personnel;

1-47 (8) one representative from the personal protective  
 1-48 equipment manufacturing industry;

1-49 (9) one consumer representative;  
 1-50 (10) one representative from an association

1-51 representing counties;  
 1-52 (11) one representative from the department;

1-53 (12) one representative from the division; and  
 1-54 (13) one representative from the commission.

1-55 (c) The advisory committee shall make recommendations to  
 1-56 the division as necessary on:

1-57 (1) the procurements needed for a statewide personal  
 1-58 protective equipment reserve;

1-59 (2) the storage of the equipment in the reserve; and  
 1-60 (3) the distribution of the equipment to health care

2-1 workers and essential personnel.

2-2 (d) This section expires and the advisory committee is  
2-3 abolished September 1, 2023.

2-4 SECTION 2. As soon as practicable after the effective date  
2-5 of this Act, the Texas Division of Emergency Management shall  
2-6 appoint members to the Personal Protective Equipment Reserve  
2-7 Advisory Committee established under Section 81.016, Health and  
2-8 Safety Code, as added by this Act.

2-9 SECTION 3. The Texas Division of Emergency Management is  
2-10 required to implement a provision of this Act only if the  
2-11 legislature appropriates money specifically for that purpose or if  
2-12 federal money is provided to this state and by law made available to  
2-13 the division for the purposes of this Act. If the legislature does  
2-14 not appropriate money specifically for that purpose and federal  
2-15 money is not available for that purpose, the division may, but is  
2-16 not required to, implement a provision of this Act using other  
2-17 appropriations that are available for that purpose.

2-18 SECTION 4. This Act takes effect immediately if it receives  
2-19 a vote of two-thirds of all the members elected to each house, as  
2-20 provided by Section 39, Article III, Texas Constitution. If this  
2-21 Act does not receive the vote necessary for immediate effect, this  
2-22 Act takes effect September 1, 2021.

2-23

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