

PUBLIC COMMENTS

HB 2052

HOUSE COMMITTEE ON PUBLIC HEALTH

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Hearing Date: March 24, 2021 8:00 AM

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Olivia Juarez

Self - genetic counselor

San Antonio, TX

I'm a genetic counselor from Bexar county and am requesting Representative Allison support House Bill 2053 being heard in the Public Health Committee this Wednesday.

Marissa Strickland

Self

Pflugerville, TX

Texas resident in favor of HB 2052.

Kelley Shannon, Executive Director

Freedom of Information Foundation of Texas

Austin, TX

The Freedom of Information Foundation of Texas supports HB 2052 because it makes public notices of alleged hospital violations; the number of investigations of the hospital; penalties imposed; and outcomes of investigations. This kind of transparency helps the health care consumer and the public at large.

Cathie Campbell

Myself

Missouri City, TX

I am writing today in support of HB 2029. Millions of Texans live in health care shortage areas, and APRNs can help. But first, the state needs to remove the delegation mandate, just like 31 states, the V.A. all branches of the military, and the District of Columbia already have.

Lisa McGiffert, Board President

Patient Safety Action Network

Austin, TX

Dear Chairwoman Klick and Members of the Texas House Public Health Committee:

I am writing in support of HB2052, which would provide public access to certain hospital investigation information and materials.

I am a cofounder and board president of the Patient Safety Action Network, a national coalition advocating for the end of medical harm from the patient perspective. From 1991 to 2003, I was a public interest lobbyist for Consumers Union in Texas. From 2003-2018, I led Consumer Reports Advocacy efforts on patient safety and became a national spokesperson for increased transparency of health care safety information. Such transparency informs the public, health care providers and policymakers on

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where harm is occurring, including trends within hospital systems and at large, thus providing critical information on how to keep hospital patients safe.

Hospital infections and preventable medical harm are estimated as the 3rd leading cause of death in the US. Based on three studies with very similar results, 1 in 4 hospital patients are harmed while being treated in the hospital for something else. In 2016 (the latest through the TDSHS), 2.7 million patients were admitted to Texas hospitals; thus an estimated 675,000 Texas patients experience some kind of medical harm, a portion of which are clearly preventable. In any other situation, these numbers would indicate an epidemic, a serious problem that needs to be addressed by the legislature. Some reporting of errors/infections is required by law, but that information is limited and several years old when made public. Often the harm is caused by system issues that are not obvious when seen as individual incidents. When state investigators review what led to the events that brought a complaint, they often see issues of which the staff are unaware.

Throughout the country, the state investigation information covered by this bill is available publicly and provided online so it is easily accessible. It is a critical component of accountability and safety. When Medicare investigates complaints against hospitals, the results are publicly available (on Form 2567), but that was accomplished through a cooperative agreement of sharing data with a journalism association. I believe disclosure of this kind of information is the responsibility of the regulators who oversee the quality of hospital care in the public interest. This bill would appropriately reveal pertinent details of these investigations.

When I covered Texas hospital quality issues in the 1990s more information was public than is today. HB2052 takes the step to more fully inform the public about investigations and recommendations made by investigators to address identified problems. Please support this important legislation that could save lives.

Diana Dolan, Dr.

Self

Seguin, TX

Dr.s don't want to work in the rural clinics and take the Medicare patients. Healthcare in Texas is 48th in the nation. We need equity with patient care for minorities.

Joey Gidseg, President

Texas Democrats with Disabilities Caucus

Austin, TX

Dear Chair Klick and members of the Public Health Committee,

I would like to thank Chair Klick for filing HB 2052. This bill is essential for Texans with Disabilities and our families, as it allows us to make informed choices about where to seek care and where to avoid for our own well-being, and can be the difference between life and death. It is currently very difficult to find out what the quality and conditions within a hospital or psychiatric facility are, or obtain the records needed to prove that there is a problem within a facility that must be addressed. Currently, anyone wanting this information must first file a Public Information Request (PIR), a cumbersome process confusing to all but seasoned investigative journalists. Frequently, members of the public who make these requests are unaware that they must word them in a specific way if they want the entity to agree to fulfill them. Determined members of the public find that they must revise requests numerous times before finding the phrasing needed for the entity to agree to fulfill the request. Many never make it this far, but for those who do, they face an additional obstacle: can they afford to fulfill their request? Entities opposed to transparency, especially those with something to hide, often charge exorbitant fees to effectively limit access to information from most members of the public.

Expanding public access to these records and reports places an important check on facilities and entities that currently operate out of view by encouraging them to proactively address any unsafe conditions, and curb any ongoing problematic practices. HB 2052 increases accountability, and protects Texans. It is good for all Texans, and I hope this committee passes it and it becomes law, effective immediately.