

BILL ANALYSIS

C.S.H.B. 1847
By: Howard
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 2022, the commissioner of state health services notified the legislature that the 2022 Texas Maternal Mortality and Morbidity Review Committee's report would not be released by its statutory deadline of September 1 due to staffing shortages and additional barriers in the process of preparing the report. According to the Department of State Health Services, Texas is unlike any other state in its data collection process because it has to take an extra step of redacting all the maternal mortality records before they are reviewed by the health care providers collecting the data. The purpose of the redaction is to protect these providers from liability under applicable requirements to report certain conduct. This additional step has caused significant delay in the preparation of the report and contributed to the report's untimely delivery last year. C.S.H.B. 1847 seeks to address this issue by providing a limited exemption from a health care provider's duty to report and allowing these providers to review unredacted materials related to maternal mortality and morbidity cases.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1847 amends the Health and Safety Code to exempt a health care provider, including a nurse, from the requirement to report certain conduct related to the provider's profession if the provider learns of the conduct during the review of information relevant to a case of pregnancy-associated death, pregnancy-related death, or severe maternal morbidity obtained under statutory provisions governing the Texas Maternal Mortality and Morbidity Review Committee.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1847 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While both the introduced and substitute versions exempt a person who learns of reportable conduct while reviewing certain information relevant to the Texas Maternal Mortality and Morbidity Review Committee from being required to report that conduct, the exemptions differ in the following manner:

- the substitute exempts a health care provider, including a nurse, from reporting conduct related to the provider's profession, whereas the introduced exempted a person subject to the conduct reporting requirements under the Nursing Practice Act from the requirement to report any applicable conduct to the Texas Board of Nursing; and
- the exemption provided in the substitute relates to information the provider reviewed relevant to a case of pregnancy-associated death, pregnancy-related death, or severe maternal morbidity obtained under statutory provisions governing the committee, whereas the exemption provided in the introduced related to death cases the person reviewed for the committee in connection with a report required by law.