

By: Schatzline

H.B. No. 3151

A BILL TO BE ENTITLED

AN ACT

relating to prohibited health care discrimination based on vaccination status; providing a civil penalty.

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

SECTION 1. Subchapter A, Chapter 161, Health and Safety Code, is amended by adding Section 161.01095 to read as follows:

Sec. 161.01095. PROHIBITED DISCRIMINATION BASED ON VACCINATION STATUS; CIVIL PENALTY. (a) In this section, "health care provider" means an individual or facility licensed, certified, or otherwise authorized to administer health care, for profit or otherwise, in the ordinary course of business or professional practice. The term includes a physician.

(b) Notwithstanding any other law, a health care provider may not, based on an individual's vaccination status, deny or refuse to provide the individual a health care treatment, procedure, or service.

(c) A health care provider who violates this section is subject to a civil penalty of \$50,000 for each violation. The attorney general may bring an action to recover the civil penalty and may recover attorney's fees and costs incurred in bringing the action.

SECTION 2. This Act takes effect September 1, 2023.