

By: Cortez

H.B. No. 4400

A BILL TO BE ENTITLED

AN ACT

relating to a cardiac arrest registry for information on the incidence and causes of cardiac arrest among certain persons; providing an administrative penalty.

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

SECTION 1. Subtitle D, Title 2, Health and Safety Code, is amended by adding Chapter 93A to read as follows:

CHAPTER 93A. CARDIAC ARREST REGISTRY

Sec. 93A.001. DEFINITIONS. In this chapter:

(1) "Center" means The University of Texas Southwestern Medical Center.

(2) "Physician" means an individual licensed to practice medicine in this state.

(3) "Registry" means the cardiac arrest registry established under this chapter.

Sec. 93A.002. ESTABLISHMENT AND MAINTENANCE OF REGISTRY.

(a) The center shall establish and maintain a cardiac arrest registry to collect and aggregate information on the incidence and causes of cardiac arrest among individuals younger than 36 years of age in this state.

(b) Not later than the 60th day following the date of death of an individual younger than 36 years of age whose death is caused by cardiac arrest, the primary physician who attends the individual's death shall submit to the center for inclusion in the

1 registry information regarding the individual and the death. The  
2 information must include:

3 (1) the age of the individual;

4 (2) the time and date of the individual's death;

5 (3) a description of the location where and the  
6 circumstances under which the cardiac arrest occurred;

7 (4) a description of the activity in which the  
8 individual was engaged at the time the cardiac arrest occurred;

9 (5) a statement on whether the individual was an  
10 athlete and if an athlete, each sport the individual participated  
11 in and the level at which the individual participated in each sport;

12 (6) if known by the physician or the individual's  
13 family, a statement of whether the individual at any time tested  
14 positive for coronavirus disease (COVID-19); and

15 (7) any other information the center determines  
16 appropriate.

17 Sec. 93A.003. PHYSICIAN ACCESS TO REGISTRY; ANNUAL REPORT.

18 (a) The center shall ensure that information maintained in the  
19 registry is accessible to physicians who provide medical care to  
20 student athletes participating in a sport at any level. The  
21 information must be aggregated and machine-readable in a manner  
22 that allows a physician described by this subsection to easily  
23 navigate the information.

24 (b) Not later than September 1 of each even-numbered year,  
25 the center shall prepare and submit to the legislature a written  
26 report that summarizes the information submitted to the center for  
27 inclusion in the registry during the preceding two years.

1       Sec. 93A.004. CONFIDENTIALITY. The center shall ensure  
2 that information accessible to a physician or submitted to the  
3 legislature under Section 93A.003 does not disclose an individual's  
4 personally identifiable information or information that is  
5 confidential under state or federal law.

6       Sec. 93A.005. ADMINISTRATIVE PENALTY. (a) The Texas  
7 Medical Board may assess an administrative penalty against a  
8 physician who violates Section 93A.002. The administrative penalty  
9 may not exceed \$500 for each violation and shall be based on:

- 10               (1) the history of previous violations;  
11               (2) the amount necessary to deter a future violation;  
12               (3) the efforts to correct the violation; and  
13               (4) any other matter that justice may require.

14       (b) The Texas Medical Board by rule shall establish a  
15 procedure to collect the administrative penalty. A proceeding to  
16 impose the administrative penalty is considered a contested case  
17 under Chapter 2001, Government Code.

18       SECTION 2. As soon as practicable after the effective date  
19 of this Act, The University of Texas Southwestern Medical Center  
20 shall establish the cardiac arrest registry as required by Chapter  
21 93A, Health and Safety Code, as added by this Act.

22       SECTION 3. This Act takes effect September 1, 2023.