

## **BILL ANALYSIS**

H.B. 4535  
By: McQueeney  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The bill author has informed the committee that in the rush to respond to the COVID-19 pandemic, key protections such as informed consent and parental rights were often overlooked, especially in the case of minors and individuals who lack the capacity to consent. The bill author has further informed the committee that there have been disturbing reports of COVID-19 vaccines being administered without proper parental consent or full disclosure of associated risks and that Texas families deserve transparency and accountability in medical decision-making. H.B. 4535 ensures that Texans are equipped with the information they need to make informed medical decisions by requiring written informed consent prior to any COVID-19 vaccination. This bill also seeks to restore trust and integrity in the vaccine administration process while upholding the rights of Texas families by reinforcing the foundational principles of medical ethics: informed consent, transparency, and individual rights.

### **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**

H.B. 4535 amends the Health and Safety Code to require a health care provider, before administering a COVID-19 vaccination to an individual, to obtain the individual's written informed consent. If the individual is a minor or lacks the mental capacity to provide informed consent, the parent, guardian, or conservator may provide written informed consent on the individual's behalf. The bill requires the informed consent to include an acknowledgment that the individual providing informed consent received the information sheet developed under the bill's provisions.

H.B. 4535 requires the Department of State Health Services to develop a standardized information sheet that includes information on the following:

- the risks associated with COVID-19 vaccination, including potential side effects;
- the expedited manner in which the COVID-19 vaccine was developed;
- whether long-term scientific studies have been performed on the COVID-19 vaccine;
- whether manufacturers of the COVID-19 vaccine are subject to civil liability for any injuries caused by the vaccine; and
- the federal Vaccine Adverse Event Reporting System, including clear instructions for reporting any vaccine-related injury or reaction.

The bill authorizes the appropriate licensing authority to impose disciplinary action on a health care provider who administers a COVID-19 vaccination in violation of the bill's provisions in the same manner and using the same procedures as the authority uses to impose disciplinary action on a provider who violates the authority's licensing or other regulatory laws or rules.

H.B. 4535 defines the following terms:

- "COVID-19" as the 2019 novel coronavirus disease; and
- "health care provider" as an individual licensed or otherwise authorized by the state to administer vaccines.

**EFFECTIVE DATE**

September 1, 2025.