



# Presentation to Senate Committee on Health and Human Services

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# DSHS Regulatory Functions: Overview

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DSHS is statutorily charged with regulation of healthcare facilities.

- Hospitals
- Ambulatory surgical centers
- Abortion facilities
- Others



# DSHS Statutory Authority: Abortion

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- Health and Safety Code, Chapters 170 and 171
  - Specific to the abortion procedure, including restrictions, required notifications, and informed consent
- Family Code, Chapter 33
  - Abortion requirements for unemancipated minors
- Health and Safety Code, Chapters 241, 243, and 245
  - DSHS regulatory authority over hospitals, ambulatory surgical centers, and abortion facilities

# Range of Regulatory Authority in Facilities

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- Physical facility and environment
- Staffing
- Infection control
- Patient care
- Patient rights
- Tissue handling

## DSHS Role Related to Tissue

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- DSHS role related to tissue is limited to specific activities that occur within the facility:
  - *Appropriate handling*
  - *Infection control*
  - *Storage and disposition within the facility*
- DSHS authority does not extend outside of the facility.

- Inspection process
  - Observation, interviews, and record reviews
  - Exit conference
- Regular inspections
  - 13 licensure and re-licensure licensed abortion facility inspections in 2014
- Complaint-based investigations
  - 17 complaint-based licensed abortion facility investigations in 2014

- Focus on bringing facilities into compliance
  - Plans to correct deficiencies within set timeframes
- More stringent action for serious deficiencies
  - Administrative penalties
  - Emergency/ immediate suspension or license revocation
  - Civil and criminal penalties in certain circumstances
- Due Process
  - Informal conference
  - State Office of Administrative Hearings