



81st Legislative Session Summary Legislation Affecting the Department of State Health Services (DSHS)

SB 1 (Senator Ogden/Rep. Pitts) Relating to appropriations for the 2010-2011 biennium. HB 1 is the General Appropriations Act, which appropriates funds for agency programs and operations, along with guidance on expenditures, for the two Fiscal Years beginning on September 1, 2009. Both the text of SB 1 and a summary can be found on the home page of the Legislative Budget Board at www.lbb.state.tx.us/. Effective date: September 1, 2009.

SB 61 (Senator Zaffirini/Rep. Vaught) Relating to the offense of failing to secure a child passenger in a motor vehicle and to fines for the offense. SB 61 brings state child safety seat requirements in line with federal standards. Fines collected under this law are deposited in an account appropriated to the Texas Department of Transportation (TXDOT) and used to purchase child passenger safety seat systems which are distributed to low-income families by (DSHS). Effective date: September 1, 2009.

SB 90 (Senator Van de Putte/Rep. Geren) Relating to adoption of the Interstate Compact on Educational Opportunity for Military Children. SB 90 enters Texas into the Interstate Compact on Educational Opportunity for Military Children. The compact facilitates the student placement process, qualifications and eligibility for enrollment, and on-time graduation and provides for the collection and sharing of information between and among member states. SB 90 specifies that if Texas laws conflict with the compact or a rule adopted under the compact, the compact or rule controls, except in the case of school immunization requirements. Effective immediately.

SB 97 (Senator Van de Putte/Rep. Villareal) Relating to the authority of dental hygienists to perform services in certain facilities. SB 97 authorizes dentists to delegate to dental hygienists duties such as basic oral hygiene, tooth decay prevention, and fluoride treatment at a community clinic. Effective date: September 1, 2009.

SB 202 (Senator Shapleigh/Rep. Gonzales) Relating to provisional licensing of physicians to practice in underserved areas. SB 202 requires the Texas Medical Board to grant a provisional license to practice medicine in certain locations to applicants who meet certain requirements relating to licensure outside Texas, passage of a recognized examination, and sponsorship by a licensed physician. Effective date: September 1, 2009.

SB 203 (Senator Shapleigh/Rep. Coleman) Relating to health care-associated infections and preventable adverse events in certain health care facilities. SB 203 amends the existing statute on health-care associated infections by adding a requirement to report the causative pathogen if the infection is laboratory-confirmed. The bill requires general hospitals to report the causative pathogen of a laboratory-confirmed central line-associated primary bloodstream infection to DSHS. It also requires DSHS to include the

reporting of health care-associated preventable adverse events by health care facilities in the healthcare-associated infections system. Effective date: September 1, 2009.

SB 283 (Senator Nelson/Rep. McReynolds) Relating to the membership and activities of local school health advisory councils and to parental involvement in human sexuality instruction in public schools. SB 283 modifies the membership and powers of local school health advisory councils to provide better organizational structure and mechanism for accountability for local school health advisory councils. Effective date: September 1, 2009.

SB 291 (Senator Nelson/Rep. McReynolds) Relating to hepatitis B vaccination for students enrolled in certain health-related course of study at an institution of higher education. S.B. 291 specifies that a rule requiring a hepatitis B vaccination for students may apply only to students enrolled at an institution of higher education in a course of study involving potential exposure to human or animal blood or bodily fluids. Effective immediately.

SB 343 (Senator Nelson/Rep. McReynolds) Relating to the creation of an advisory committee to study the retail availability of healthy foods in certain underserved areas of this state. SB 343 requires the Executive Commissioner of the Health and Human Services Commission (HHSC) and the Commissioner of Agriculture to create an advisory committee to study and provide recommendations to the legislature regarding the areas of Texas that are underserved in the retail availability of health foods and the impact of the limited availability on nutrition, obesity and chronic illnesses. Effective immediately.

SB 346 (Senator Nelson/Rep. Kolkhorst) Relating to information submitted to and maintained in the immunization registry after an individual becomes an adult. SB 346 authorizes a person to maintain an immunization record in ImmTrac beyond the person's 18th birthday and sets out procedures for the submission of information to and maintenance of information in the registry. Effective date: September 1, 2009.

SB 347 (Senator Nelson/Rep. Kolkhorst) Relating to the receipt and release of immunization information by the immunization registry in connection with a disaster; providing penalties. SB 347 authorizes DSHS to exchange immunization records stored in ImmTrac, the state's immunization registry, with other state and local health departments during disasters or emergencies involving evacuations or relocations. Effective date: September 1, 2009.

SB 395 (Senator Lucio/Rep. Lucio) Relating to creation of the Early Childhood Health and Nutrition Interagency Council. SB 395 creates the Early Childhood Health and Nutrition Interagency Council to develop an early childhood nutrition and physical activity plan with a recommended timeline for implementation over a six-year period. Representatives from DSHS' Health Promotion & Chronic Disease Prevention and WIC program areas, appointed by the DSHS Commissioner, are included on the Council. Effective date: September 1, 2009.

SB 455 (Senator Shapiro/Rep. Hopson) Relating to the regulation of the practice of dental assistants, including the delegation of certain dental acts. SB 455 authorizes additional services to be performed by dental assistants, specifies the type of supervision required with respect to the assistants, provides for certain certificates to be issued to qualified dental assistants by the Texas State Board of Dental Examiners, and provides for continuing education of the assistants. Effective date: September 1, 2009.

SB 476 (Senator Nelson/Rep. Donna Howard) Relating to staffing, overtime, and other employment protections for nurses. SB 476 requires a hospital to develop and use a nursing staffing plan as a component in setting the nurse staffing budget and prohibits mandatory overtime. It further prohibits retaliation against a nurse who refuses to work overtime. Hospitals must report compliance with the requirements of the bill to DSHS annually. Effective date: September 1, 2009.

SB 526 (Senator Nelson/Rep. Martinez) Relating to grants for Federally Qualified Health Centers (FQHCs). SB 526 reauthorizes the FQHC incubator grant program and allows it to support new or expanded services. Effective date: August 31, 2009.

SB 527 (Senator Nelson/Rep. Kolkhorst) Relating to certain mammography systems that fail certification standards. SB 527 modifies notification requirements for mammography facilities with serious violations to ensure that they communicate with the patients who were affected by the violation. Effective date: September 1, 2009.

SB 532 (Senator Patrick/Rep. Coleman) Relating to a physician's delegation of prescriptive authority to physician assistants or advanced practice nurses. SB 532 expands parameters on delegated prescriptive authority and decreases, from 20 percent to 10 percent, the amount of time required for physicians delegating prescriptive authority to practice on-site with a physician assistant or nurse practitioner. Effective date: September 1, 2009.

SB 584 (Senator Van de Putte/Rep. Gonzales) Relating to notification to a patient of a mental health facility or resident of a residential care facility of the exemption of certain trusts from liability to pay for support. SB 584 requires residential care facilities and state-operated mental health facilities to provide written and oral notification that a trust up to \$250,000 is not liable for the patient's or resident's support and requires the notice also to be attached to any request for payment for the patient's or resident's support. Effective immediately.

SB 643 (Senator Nelson/Rep. Rose) Relating to the protection and care of individuals with mental retardation and to certain legal protections for individuals with disabilities. SB 643 addresses state schools operated by the Department on Aging and Disability Services. The same requirements affect the Intermediate Care Facility for the Mentally Retarded component of the Rio Grande State Center operated by DSHS. Effective immediately.

SB 671 (Senator Shapleigh/Rep. Gallego) Relating to information requested by a member, committee, or agency of the legislature under the public information law. SB 671 allows legislators required by a governmental body to sign a confidentiality agreement to seek a decision from the Office of Attorney General to determine whether the matter is in fact confidential. Effective date: September 1, 2010.

SB 703 (Senator Nelson/Rep. Rose) Relating to the provision of a certified copy of a birth certificate for certain minors receiving services from the Department of Family and Protective Services (DFPS) and to the amendment of birth and death certificates. SB 703 exempts DFPS from the collection of fees for certified copies of birth certificates and birth verifications for children in the managing conservatorship of DFPS if parental rights have been terminated and the child is eligible for adoption. It also requires the Vital Statistics Unit (VSU) to notify applicants of whether their application for an amended birth, death or fetal death certificate will be accepted within 30 days. Effective date: September 1, 2009.

SB 704 (Senator Nelson./Rep. Kolkhorst) Relating to the regulation of pharmacy benefit managers and mail order pharmacies. SB 704 requires a state agency on request of another state agency to disclose information relating to the amount charged in connection with pharmacy benefit manager services. Effective date: September 1, 2009.

SB 870 (Senator Lucio/Rep. Castro) Relating to the duties of the Interagency Obesity Council (IOC) and the Department of Agriculture (TDA) Relating to health, wellness and prevention of obesity and to the establishment of an obesity pilot program. SB 870 requires the IOC to create an evidence-based public health awareness plan that includes a cost estimate, recommendations on how to reach populations that would most benefit from increased public awareness, and recommendations on encouraging employers to participate in employee wellness programs. It also requires the IOC to provide DSHS with information on effective strategies for employees to use regarding worksite wellness, which DSHS must post on its website. SB 870 also creates a obesity pilot program for Medicaid for a period of at least 24 months in one or more health regions of the state. DSHS will provide support for the pilot. Effective date: September 1, 2009.

SB 968 (Senator West/Rep. Truitt) Relating to interactive water features and fountains. SB 968 defines and sets requirements for water features and fountains regarding bacterial content, residual chlorine, and acid reaction to a standard pH test. Under the bill, methods other than chlorination for disinfecting these features may be adopted by rule. DSHS, a county or city may require such features to obtain a permit, conduct inspections, and assess fees to defray the cost of inspection and permitting. DSHS, a county or a city may order closure of such a feature for violations. HHSC is required to adopt emergency rules to implement the bill. Effective immediately.

SB 1016 (Senator Estes/Rep. Flynn) Relating to the continuation and functions of TDA and the Prescribed Burning Board, the creation of the Texas Bioenergy Policy Council, and the abolition of the Texas-Israel Exchange Fund Board. SB 1016 creates the Citrus Producers Pest and Disease Management Corporation. SB 1016 requires an advisory

committee to advise the Commissioner of Agriculture on adoption of rules to protect individuals, livestock, wildlife, and honeybees in a pest management where treatment is being conducted to suppress the Asian citrus psyllid and citrus greening. The Commissioner of State Health Services will appoint a toxicologist to the committee. Effective date: September 1, 2009.

SB 1027 (Senator Watson/Rep. Kleinschmidt) Relating to the establishment of an interagency farm-to-school coordination task force. SB 1027 establishes an interagency farm-to-school coordination task force chaired with representation from TDA, the Texas Education Agency (TEA), DSHS, farm organizations and other relevant public and nonprofit partners. Effective date: September 1, 2009.

SB 1058 (Senator Uresti/Rep. Coleman) Relating to reporting requirements for health occupation regulatory agencies. SB 1058 requires that a health care occupation regulatory agency file, not later than February 1 of each year, a report with the chairs of the house and senate committees with primary agency oversight. The report must include: 1) the number of persons regulated by the agency; 2) the number of persons who became subject to regulation by the agency in the previous year; 3) the number of persons regulated by the agency by county; 4) a description of any complaints reported to the agency or a description of the complaint categories used by the agency and the number of complaints in each category; 5) the number of complaints investigated by the agency and a description of the final resolution of the complaints; 6) the amount of fees collected by the agency each year; 7) the expenses of the agency; and 8) any unfunded needs of the agency. Effective date: September 1, 2009.

SB 1068 (Senator Wentworth/Rep. Gallego) Relating to allowing a governmental body to redact certain personal information under the public information law without the necessity of requesting a decision from the attorney general. SB 1068 allows a governmental body to redact certain personal information under the public information law without requesting a decision from the Office of the Attorney General (OAG). The requestor would have the right to request a review and opinion from the OAG before being required to sue for a writ of mandamus or seek a declaratory judgment. Effective immediately.

SB 1082 (Senator Huffman/Rep. Laubenberg) Relating to the storage, maintenance, and distribution of mammography medical records. SB 1082 provides for maintenance of mammography records from failed facilities via the use of funds from the perpetual care account. Effective date: September 1, 2009.

SB 1171 (Senator Nichols/Rep. McReynolds) Relating to certain health-related reports, records, and information. SB 1171 authorizes the sharing of certain health-related reports, records, and information regarding communicable diseases or health conditions among public health districts, local health departments, and DSHS. Effective immediately.

SB 1271 (Senator Uresti/Rep. Hopson) Relating to the requirement that an orthotics or a prosthetist be licensed as a device manufacturer if fabricating or assembling without an order from certain health care professionals. SB 1271 exempts a person licensed to practice orthotics or prosthetics who measures, designs, fabricates, fits, assembles, adjusts, or services an orthosis or prosthesis under an order from a licensed physician, chiropractor, or podiatrist for a specific patient from licensing as a device manufacturer under Subchapter L, Chapter 431, Health and Safety Code. Effective immediately.

SB 1325 (Senator Nelson/Rep. Corte) Relating to the creation of a mental health intervention program for military veterans. SB 1325 directs DSHS to create a peer-to-peer mental health program to provide counseling to military veterans. The bill requires DSHS to solicit and train volunteers to provide the peer-to-peer counseling. Effective immediately.

SB 1326 (Senator Nelson/Rep. Susan King) Relating to the functions of the statewide health coordinating council (SHCC); providing civil penalties. SB 1326 updates references in federal statutes, state statutes, and state agencies in the SHCC statute and authorizes individuals from the public and private sectors to serve on SHCC advisory boards and ad hoc committees. Effective immediately.

SB 1328 (Senator Nelson/Rep. Naishtat) Relating to a study on the feasibility of providing vaccines to first responders deployed to a disaster area. SB 1328 requires the Department of State Health Services (DSHS) to conduct a study assessing the feasibility of providing vaccines to a first responder who may be exposed to certain diseases during deployment to a disaster area, the vaccination status of first responders and their families, workplace immunization policies and insurance coverage for first responders, the current ability of DSHS to provide vaccines to this population, possible funding sources for such a vaccination program, and ways to educate first responders about available options to vaccinate themselves and their families. Effective immediately.

SB 1409 (Senator Shapleigh/Rep. McReynolds) Relating to the definition of first responder for purposes of the immunization registry. SB 1409 redefines "first responder" for purposes of the immunization registry to mean any federal, state, local, or private personnel who may respond to a disaster or any related personnel that provide support services during the prevention, response, and recovery phase of a disaster. Effective immediately.

SB 1474 (Senator Nichols/Rep. McReynolds) Relating to compensation for certain emergency services personnel. SB 1474 authorizes certain emergency services personnel who are state employees to use accrued compensatory time within 18 months. Effective date: September 1, 2009.

SB 1526 (Senator Shapleigh/Rep. Pickett) Relating to the composition, administration, and duties, including reporting requirements, of the Border Health Institute. SB 1526 includes DSHS as a component of the Border Health Institute and requires each member

of the institute to submit a long-term strategic plan. It also removes certain activities the institute is required to facilitate and assist. Effective immediately.

SB 1612 (Senator Lucio /Rep. Rodriguez) Relating to the provision of information by health and human services agencies to assist children diagnosed with velocardiofacial syndrome. The bill requires HHSC to develop information regarding velocardiofacial syndrome using medically accurate and peer-reviewed literature and to provide this information to each health and human services agency that provides intervention services to young children. In turn, those agencies that provide intervention services to young children are required to provide the information regarding velocardiofacial syndrome to appropriate health care coordinators and therapists and to parents of a child that is known by the agency to have at least two of the conditions outlined by the bill. Effective date: September 1, 2009.

SB 1629 (Senator Wentworth/Rep. Rose) Relating to the persons exempted from the required prepayment of the personnel costs incurred by a governmental body in responding to requests from a requestor under the public information law that require large amounts of time. SB 1629 adds newspapers of general circulation that are published on the Internet and magazines that are either published at least once a week or are on the Internet to the list of entities that may not be charged for public information requests that require large amounts of employee or personnel time. Effective date: September 1, 2009.

SB 1645 (Senator Van de Putte/Rep. Hopson) Relating to the distribution of a prescription drug and a study of the feasibility of establishing separate reimbursement under the Medicaid vendor drug program for certain pharmacy care management service. In addition, it allows an exemption to be provided by rule from pedigree requirements in cases where a state agency or political subdivision would incur cost. Effective date: September 1, 2009.

SB 1646 (Senator Van de Putte/Rep. Naishtat) Relating to the creation of the Council on Children and Families. SB 1646 establishes the Council on Children and Families to coordinate the state's health, education, and human services systems to ensure that children and families have access to needed services; improve coordination and efficiency in state agencies, advisory councils on issues affecting children, and local levels of service; prioritize and mobilize resources for children; and facilitate an integrated approach to providing services for children and youth. The Council is administratively attached to HHSC and the Commissioner of DSHS is a member. A report is required on December 1 of each even-numbered year. Effective immediately.

SB 1732 (Senator West/Rep. Harless) Relating to safety requirements for public swimming pools and other artificial bodies of water. SB 1732 requires HHSC to adopt by rule pool safety standards to prevent drowning and requires an owner, manager, operator, or other attendant in charge of certain public water facilities to comply with those standards. This bill is based on the federal Virginia Graeme Baker Pool and Spa Safety Act. Effective date: September 1, 2009.

SB 1803 (Senator Zaffirini/Rep. Laubenberg) Relating to the Glenda Dawson Donate Life-Texas Registry. SB 1803 requires DSHS to implement a training program for all Department of Public Safety (DPS) and TXDOT employees on the benefits of organ, tissue, and eye donation and the procedures for individuals to be added to the Glenda Dawson Registry. Effective date: September 1, 2009.

SB 1878 (Senator Nelson/Rep. Chavez) Relating to the creation and operation of a council to increase state efforts to offer service-enriched housing through increased coordination of housing and health services. SB 1878 creates a housing and health services council within the Texas Department of Housing and Community Affairs responsible for increasing state efforts to offer service-enriched housing through increased coordination of housing and health services. DSHS is named as a member of the council. Effective date: September 1, 2009.

SB 1932 (Senator Carona/Rep. McReynolds) Relating to the licensing requirements of hospitals temporarily providing outpatient dialysis services to a person because of a disaster. SB 1932 expands an exemption from the End Stage Renal Disease rules to include those hospitals providing outpatient dialysis services to individuals who are temporarily relocated due to a disaster declared by the Governor or the President. Effective immediately.

SB 2080 (Senator Uresti/Rep. McClendon) Relating to treating and reducing child abuse and neglect and improving child welfare, including providing assistance for adoptive parents and foster care providers. SB 2080 creates the Texas Child Abuse Resources and Education System (MEDCARES) grant program to support the development of regional programs to improve the assessment, diagnosis and treatment of child abuse and neglect. The Executive Commissioner of HHSC is required to establish an advisory committee for the program. DSHS must report the results and outcomes of the grants program by December 1 of each even-numbered year. Effective September 1, 2009.

SB 2298 (Senator Watson/Rep. Farabee) Relating to compensation of certain state employees. SB 2298 authorizes state agencies to pay state employees who are exempt from earning overtime for compensatory time accrued by the employee during a declared disaster or emergency, or if the employee is employed by a state mental health or mental retardation facility and the agency determines that taking regular time off would be disruptive to normal business. Effective immediately.

SB 2505 (Senator Harris/Rep. Geren) Relating to safety of children who participate in rodeos. SB 2505 requires rules that establish standards for childrens' bull-riding helmets and protective vests for rodeos. The bill requires schools that are associated with rodeos to conduct training that may consist of a DSHS-approved video. Effective immediately.

SCR 42 (Senator Van de Putte/Rep. Naishtat) Renaming Building G at the Department of State Health Services Central Complex as the Dr. Robert Bernstein Building.

HJR 7 (Rep. Flores/Senator Hinojosa) Relating to authorizing the state to contribute money, property, and other resources for the establishment, maintenance, and operation of veterans hospitals in this state. The bill proposes a constitutional amendment that upon approval by the voters would allow the state to contribute to establishing and maintaining a veteran's hospital. The proposed amendment is related to HB 2217, under which DSHS will work with other federal and state agencies to propose the establishment of a veterans' hospital in the Rio Grande Valley.

HB 19 (Rep. Liebowitz/Senator Zaffirini) Relating to requirements for drugs dispensed by pharmacists. HB 19 requires that the label on medication include the use-by date. Effective date: September 1, 2009.

HB 281 (Rep. Anchia/Senator West) Relating to grants for school-based health centers and reports submitted by those centers. HB 281 modifies the statute governing school-based clinics, including the DSHS reporting requirement, and expands eligibility for funding to include universities and healthcare systems. Effective immediately.

HB 405 (Rep. Harless/Senator Huffman) Relating to the authority of an animal control officer to carry a bite prevention stick in the performance of official duties. This will require DSHS to add to both basic and continuing animal control officer training education courses to include principles and procedures for using a bite stick for animal control purposes. Effective immediately.

HB 448 (Rep. Hopson/Senator Carona) Relating to requiring the DSHS to implement a provider choice system in the vaccines for children program. It also requires DSHS to provide a vaccine selected by a health care provider only if the cost to DSHS of providing the vaccine is not more than 115 percent of the lowest-priced equivalent vaccine. Effective September 1, 2009.

HB 449 (Rep. Jackson/Senator Deuell) Relating to the regulation of laser hair removal facilities. HB 449 requires laser hair removal processes to be performed by a certified laser hair removal professional or by an individual under the supervision of a certified professional. The bill establishes levels of expertise in laser hair removal to be regulated by the DSHS. It requires each laser hair removal facility to be licensed and each facility to retain the services of a consulting physician to develop and review each facility's procedures and protocol. Effective date: September 1, 2009, although certain provisions take effect on September 1, 2010.

HB 461 (Rep. Eissler/Senator Huffman) Relating to the regulation of dyslexia practitioners and therapists. HB 461 creates a new title-protection licensing program for dyslexia practitioners and therapists. The bill creates an advisory committee to advise DSHS in administering the program. It also creates an interim committee to study and recommend legislation to increase awareness of early detection and treatment of dyslexia and related disorders. Effective date: September 1, 2009, although certain provisions take effect on September 1, 2010.

HB 492 (Rep. Zerwas/Senator Deuell) Relating to the expansion of faith- and community-based health and human services and social services initiatives. The bill seeks to strengthen both the capacities of faith- and community-based organizations and their relationships with state government to provide charitable and social services. Under the legislation, the Executive Commissioner will designate employees from HHSC and other health and human services agencies to serve as liaisons for faith and community-based organizations. Effective immediately.

HB 497 (Rep. Zerwas/Senator Nelson) Relating to a study by HHSC and the Texas Department of Insurance to determine the impact on the health care infrastructure in this state if the state's Medicaid program is abolished or a severe reduction in federal matching money under the program occurs. SB 497 requires that a report and recommendations be submitted to the lieutenant governor, speaker and presiding officers of the standing committees having primary jurisdiction over health and human services in the Senate and House by July 1, 2010. Effective immediately.

HB 549 (Rep. Raymond/Senator Zaffirini) Relating to an affirmative defense to prosecution for certain sex offenses. HB 549 amends sections of the Penal Code to make it an affirmative defense to prosecution under each statute that the actor was the spouse of the child at the time of the offense. It also removes the requirement in each section of the Penal Code that the child involved in the criminal conduct is not the actor's spouse. The changes in the statutory definitions of indecency with a child and sexual assault must be coordinated with the quality assurance/monitoring staffs for the programs that will be subject to the anticipated child abuse reporting rider for the 2010-2011 biennium. The Reporting Child Abuse by DSHS Contractors/Providers website must be updated to reflect the amendments. Effective September 1, 2009.

HB 594 (Rep. Tracy King/Senator Wentworth) Relating to the licensing and regulation of hearing instrument fitters and dispensers. HB 594 modifies requirements for licensing of hearing instrument fitters and dispensers. Effective date: September 1, 2009.

HB 605 (Rep. Farabee/Senator Estes) Relating to mileage reimbursement for state employees. This bill included a provision for considering safety when determining the most cost effective route for state travel. Effective date: September 1, 2009.

HB 610 (Rep. Naishtat/Senator Van de Putte) Relating to the establishment of the Legislative Committee on Aging and other initiatives relating to the aging population of this state. The bill creates a legislative committee to review issues relating to the aging population including needs for state and local services. It also empowers the executive commissioner of HHSC to conduct local forums to discuss these issues. Effective date: September 1, 2009.

HB 643 (Rep. Zerwas/Senator Uresti) Relating to the qualifications of surgical technologists; providing penalties. HB 643 defines surgical technology and specifies the kinds of patient care to be provided by surgical technologists. Health care facilities licensed by DSHS must employ accredited surgical technologists to perform the duties of

surgical technology, unless it can document diligent and unsuccessful efforts to recruit one. Health care facilities that violate the law are subject to penalties. Effective September 1, 2009.

HB 748 (Rep. Darby/Senator Duncan) Relating to the provision of services to certain individuals with developmental disabilities by a state school or state center. HB 748 authorizes a person who provides disability services to contract with a state school or state center for the school or center to provide nonresidential services and resources to support individuals with developmental disabilities, including individuals with dual diagnosis disorders. Effective immediately.

HB 846 (Rep. Martinez/Senator Gallegos) Relating to the license or certificate renewal process for emergency medical services personnel and certain law enforcement officers. HB 846 removes the requirement that emergency medical services personnel resubmit certain information already provided to DSHS as part of a renewal application if the information is unchanged since the applicant's last application. Effective date: September 1, 2009.

HB 888 (Rep. Naishtat/Senator Uresti) Relating to the detention and examination of certain persons accepted for a preliminary mental health examination. HB 888 extends the period of time a person may be detained in a mental health facility on an emergency detention by four hours. If the 48-hour period that a person may be detained ends on a Saturday, Sunday, legal holiday, or before 4 p.m. on the first succeeding business day, the person may be detained until 4 p.m. instead of 12:00 p.m. on the first succeeding business day. Effective immediately.

HB 963 (Rep. Guillen/Senator Whitmire) Relating to the eligibility of certain applicants for occupational licenses. HB 963 allows a person enrolled or planning to enroll in a training program to request that a licensing authority issue a criminal history evaluation letter regarding their eligibility for a license. The bill also amends the Occupations Code to allow various licensing authorities to provide licenses or provisional licenses to applicants who have had certain previous criminal convictions. Effective immediately.

HB 978 (Rep. Burnam/Senator Watson) Relating to the employment rights of certain individuals with disabilities. HB 978 strengthens employment discrimination protections for individuals with disabilities and defines the term to include an impairment that is episodic or in remission that substantially limits a major life activity when active. Effective date: September 1, 2009.

HB 1012 (Rep. Gonzalez Tourielles/Senator Harris) Relating to the conservatorship or possession of, or access to, a child in a suit affecting the parent-child relationship. HB 1012 requires parenting facilitators to be licensed social workers, professional counselors, marriage and family therapists, attorneys or psychologists. Effective on September 1, 2009.

HB 1041 (Rep. Parker/Senator West) Relating to school district policies addressing sexual abuse of children and establishment of a state strategy to reduce child abuse and neglect and improve child welfare. HB 1041 requires each school district to adopt and implement a policy addressing sexual abuse of children to be included in the district improvement plan and creates a state task force to establish a strategy for reducing child abuse and neglect and to improve child welfare in this state. The task force is required to consult with DFPS, TDCJ, and DSHS. Effective immediately.

HB 1043 (Rep. Orr/Senator Nelson) Relating to the creation of business opportunities for certain former foster children. The bill grants employment preference at state agencies to individuals under the age of 25 who were in foster care the day before they turned 18. Effective date: September 1, 2009.

HB 1067 (Rep. Naishtat/Senator Nelson) Relating to a memorandum of understanding between certain authorized entities to share suicide data that does not identify any individual. HB 1067 allows authorized entities to enter into memoranda of understanding to share statistical, non-identifying suicide information data with one another rather than waiting for aggregate data to be released publically. Effective immediately.

HB 1093 (Rep. Pickett/Senator Nelson) Relating to oversight of regional poison control centers and the poison control network. HB 1093 transfers oversight of regional poison control centers and the poison control network from DSHS to the Commission on State Emergency Communications (CSEC). This bill requires DSHS, on request of CSEC, to provide epidemiological support to regional poison control centers to maximize use of data collected by the poison control network; assist the regional poison control centers with quality control and quality assurance; research; and coordinate poison control activities with other public health activities. Each regional poison control center is required to provide DSHS with access to all data and information collected by the regional poison control center for public health activities and epidemiological and toxicological investigations. CSEC and DSHS are required to enter into a memorandum of understanding that delineates the responsibilities of each agency. Effective date: September 1, 2009.

HB 1218 (Rep. Donna Howard/Senator Watson) Relating to electronic health information exchange, with HHSC leading implementation. SB 1218 directs HHSC to establish a pilot program with at least two local or regional health information exchanges to determine the feasibility, costs, and benefits of exchanging secure electronic health information between HHSC and a health information exchange. Effective date: September 1, 2009.

HB 1232 (Rep. Menendez/Senator Van de Putte) Relating to establishing a local behavioral health intervention pilot project. HB 1232 establishes a local behavioral health pilot project that will provide diversion to a system of care including a behavioral health treatment placement for children and youth in Bexar County who are at risk of placement in an alternative setting for behavior management. HB 1232 requires the local mental health authority for Bexar County – The Center for Health Care Services– to enter

into memoranda of understanding with a number of state agencies, including DSHS, serving children and adolescents for the purpose of coordinating behavioral health services for children of Bexar County. DSHS must ensure that reasonable, standardized complaint procedures are available to a parent of a child involved in the project to make complaints regarding the project or an agency or provider involved in the project. Effective date: September 1, 2009.

HB 1233 (Rep. Menendez/Senator Van de Putte) Relating to the court-ordered administration of psychoactive medication to certain criminal defendants. HB 1233 allows for court-ordered medication for certain criminally committed patients in Texas whose treatment is frequently interrupted when they return to jail to await disposition of their cases. It also provides a mechanism for court-ordered medications for those forensic patients who are out of a jail setting and being treated in an outpatient setting. These types of patients frequently are stabilized in a DSHS State Hospital only to decompensate when transitioned to another setting, which then requires their return to a State Hospital. Effective immediately.

HB 1240 (Rep. Villarreal /Senator Uresti) Relating to a resource guide for parents of newborn children to be included in the existing pamphlet. The Resource Guide will include information on selecting and interacting with a primary care provider and establishing a medical home, dental care, effective parenting, child safety, the importance of reading to a child, expected developmental milestones, health care resources available in the state, selecting appropriate childcare and other resources available in the state. The Guide will be distributed to Medicaid eligible parents through contracted providers and on the DSHS website. Effective date: September 1, 2009.

HB 1310 (Rep. Solomons/Sen. Nelson) Relating to the use of a tanning facility device by a minor. HB 1310 prohibits a minor under 16.5 years of age from using a tanning device. It also prohibits the use of a tanning device by a person younger than 18 years of age unless a parent or legal guardian, in person, at the facility, consents in writing. Effective date: September 1, 2009, although the modifications on the age of users take effect on September 1, 2010.

HB 1322 (Rep. Hochberg/Senator Watson) Relating to the establishment of an on-line resource for teachers of students with special health needs. TEA, in coordination with HHSC, must establish and maintain an Internet website to provide resources for teachers who teach students with special health needs. Effective immediately.

HB 1326 (Rep. Rios Ybarra/Senator Lucio) Relating to a plan to replenish the food supplies of food banks or food pantries following a disaster. HB 1326 authorizes inclusion of provisions for quickly replenishing the food supplies of area food banks or food pantries following a disaster in the comprehensive state emergency management plan. Responsibility for implementation lies with the Governor's Division for Emergency Management (GDEM). There is no assignment for DSHS unless delegated by GDEM. Effective immediately.

HB 1357 (Rep. Isett/Deuell) Relating to the regulation of freestanding emergency medical care facilities. The bill prohibits a person from establishing or operating a freestanding emergency medical care facility in this state without a license issued under this chapter after December September 10, 2010. DSHS must establish a licensing program for these facilities. Effective date: September 1, 2009, although some provisions take effect on March 1 or September 1 of 2010.

HB 1362 (Rep. Gutierrez/Senator Van de Putte) Relating to the pilot program for reporting of methicillin-resistant Staphylococcus aureus (MRSA) infections. HB 1362 amends current law relating to the pilot program for reporting of MRSA infections. It also requires DSHS to submit a report to the Legislature by September 1, 2011, on the effectiveness of the pilot program in tracking and reducing MRSA infections within the area served by the health authority participating in the pilot program. Effective date: September 1, 2009.

HB 1363 (Rep. Gutierrez/Senator Van de Putte) Relating to the diabetes mellitus registry pilot program. HB 1363 amends current law relating to the diabetes mellitus registry pilot program to extend the current diabetes hemoglobin A1c pilot registry established by HB 2132 in the 80th Legislative Session to September 1, 2011. It also requires DSHS to develop and make available on the agency website a form that allows patients to opt out of having the patient's information included in the registry no later than October 1, 2009, and to submit a report to the Legislature by September 1, 2011. Effective date: September 1, 2009.

HB 1462 (Rep. Pickett/Senator Uresti) Relating to leave for certain state employees who volunteer or participate in training for Court Appointed Special Advocates (CASA). The bill creates special leave of 5 hours a month for activities related to serving as a CASA volunteer. Effective date: September 1, 2009.

HB 1510 (Rep. Bonnen/Senator Jackson) Relating to adding Sudden Infant Death Syndrome (SIDS) information to resource pamphlet for parents of newborns. HB 1510 requires that information regarding SIDS, including current recommendations for infant sleeping conditions to lower the risk of SIDS, be added to the resource pamphlet mandated by law to be provided to the parent of an infant. Effective date: September 1, 2009.

HB 1530 (Rep. Button/Sen. Deuell) Relating to the licensing and regulation of health-related pest control by TDA. HB 1530 transfers the authority to license health related pest control applicators from DSHS to TDA. Effective date: September 1, 2009.

HB 1671 (Rep. Crownover/Senator Nelson) Relating to mutual aid agreements for newborn screening laboratory services. HB 1671 allows the Department of State Health Services (DSHS) to enter into mutual aid agreements to provide newborn screening laboratory services to another state and to receive newborn screening laboratory services from another state in the event of service interruptions. It also requires that mutual aid agreements address confidentiality of the identity of the newborn child and the child's

family and ensures return of specimens and related records back to the state that received the newborn screening laboratory services. Effective date: September 1, 2009.

HB 1672 (Rep. Crownover/Senator Deuell) Relating to newborn screening. HB 1672 requires DSHS to develop a disclosure statement to notify parents that the department or a laboratory established or approved by the department may retain and use genetic material obtained for newborn screening. It offers parents the opportunity to provide a written request to prohibit the use of the genetic material and have it destroyed. At the time the screening sample is taken, physicians or persons attending the delivery of a newborn will be responsible for providing a copy of the written disclosure to the parents. The disclosure statement must also be made available through alternative sources. DSHS must destroy the genetic material within 60 days of receipt of the request to destroy. The bill also allows adults whose own specimens are stored to opt-out of specimen storage.

HB 1672 also specifically states how newborn screening specimens and data can or cannot be used and provides specific guidance to DSHS on confidentiality and permissible uses of newborn screening specimens and data. This will clarify the existing statute to allow multiple uses required by the laboratory to improve testing services and share data with other newborn screening and DSHS programs.

The bill requires that a study of newborn screening in Texas be completed by December 15, 2010 to: a) evaluate the timeframe and procedures for disclosure; b) determine if DSHS should be required to confirm bloodspot destruction to parents; and c) evaluate possible standardization of the disclosure process at healthcare facilities throughout Texas.

HB 1672 also requires screening and case management services for sickle cell trait. Effective immediately.

HB 1795 (Rep. Pierson/Senator Uresti) Relating to newborn screening and the creation of the Newborn Screening Advisory Committee. HB 1795 requires DSHS to expand the newborn screening tests to screen for disorders listed in the secondary targets of the uniform newborn screening panel to the extent funding is available. The bill allows DSHS to screen for other disorders or conditions on the advice of the newborn screening advisory committee, and to exclude screenings for galactose epimerase and galactokinase. It also requires DSHS to establish an advisory committee to advise the department on additional newborn screening tests.

In addition, HB 1795 updates statutory provisions on HIV testing for pregnant women to make them consistent with recommendations from the Centers for Disease Control and Prevention. Effective date: September 1, 2009.

HB 1831 (Rep. Corte/Senator Carona) Relating to disaster preparedness and emergency management and to certain vehicles used in emergencies; providing a penalty. HB 1831 amends current law relating to disaster preparedness and emergency management and to certain vehicles used in emergencies and provides a penalty. It requires GDEM to issue a

report to the Legislature regarding the implementation of medical special needs plans in connection with Hurricane Ike. DSHS is required to cooperate in the preparation of the report. It also requires that DSHS establish a public health extension service pilot program in Health Service Region 11 to support the local public health and medical infrastructure and address biosecurity threats and that DSHS create a program to inform the public of the most efficient way to evacuate based on the nature of the disaster and the individual's medical needs. The general effective date is September 1, 2009, although the provision regarding the report on evacuation of medical special needs is effective immediately.

HB 1850 (Rep. Lucio/Senator Lucio) Relating to changing the name of the South Texas Health Care System to the Rio Grande State Center. HB 1850 changes the name of the Rio Grande State Center/South Texas Health Care System to the "Rio Grande State Center." Effective immediately.

HB 1884 (Rep. Pena/Senator Hinojosa) Relating to authorizing the conveyance of certain state real property from the Department of State Health Services to Hidalgo County for the provision of outpatient health care services or another public purpose. The 80th Legislature, 2007, appropriated funds that authorized DSHS to construct a primary care and substance abuse treatment facility in Hidalgo County. In order for DSHS to construct the facility, the property on which it will be built had to be transferred to the state. HB 1884 requires DSHS to transfer the property back to Hidalgo County upon completion of the facility so that the county can operate it. Effective immediately.

HB 1908 (Rep. Tracy King/Senator Hinojosa) Relating to the safety of the fresh fruit and vegetables produced in this state. HB 1908 clarifies that TDA is the lead agency for education and training with regard to food safety in the fresh fruit and vegetable industries. TDA is required to coordinate the planning and implementation of the education programs with colleges and universities, the Texas Agrilife Extension Service, Texas Agrilife Research, DSHS, and industry. Effective immediately.

HB 2004 (Rep. McCall/Senator Ellis) Relating to a breach of computer security involving sensitive personal information and to the protection of sensitive personal information and certain protected health information. HB 2004 requires state agencies and local governments to notify affected individuals of a computer security breach which discloses "sensitive personal information," such as an individual's name and Social Security number, driver's license number, financial account information, or certain health information. Effective date: September 1, 2009.

HB 2027 (Rep. Zerwas/Senator Harris) Relating to adoption of the Revised Uniform Anatomical Gift Act; providing criminal penalties. HB 2027 creates a comprehensive statute regulating the donation, refusal, and revocation of anatomical gifts by adults and minors in Texas, and establishes procedures for organizations such as hospitals, organ procurement organizations, and eye and tissue banks that may take custody of donated bodies or body parts after the death of a decedent. Effective date: September 1, 2009.

HB 2055 (Rep. Guillen/Senator Zaffirini) Relating to the Chronic Kidney Disease Task Force. HB 2055 expands the duties of the Chronic Kidney Disease Task Force to include development of a plan for prevention, early screening, diagnosis, and management of chronic kidney disease for Texas' population, and development of a plan for surveillance and data analysis to assess the impact of chronic kidney disease. The bill also extends the task force until September 1, 2011 and requires a report on the findings to be submitted by January 1, 2011. Effective date: August 31, 2009.

HB 2154 (Rep. Edwards/Senator Hinojosa) Relating to the physician education loan repayment program. HB 2154 expands the physician loan repayment program by creating new funding opportunities through an ad valorem tax charge on smokeless tobacco. A memorandum of understanding between DSHS and the Higher Education Coordinating Board will transfer appropriations and FTEs to DSHS. Effective date: September 1, 2009.

HB 2161 (Rep. S. Turner/Senator Whitmire) Relating to a personal identification certificate or driver's license issued to present or former inmates of TDCJ. HB 2161 requires TDCJ, DPS, and VSU to cooperate in their respective responsibilities regarding the issuance of a personal identification certificate. This bill does not apply to inmates who were not legally present or not a resident of the state before they were incarcerated. Under HB 2161, TDCJ is required to reimburse DPS and DSHS for costs incurred. Effective date: September 1, 2009.

HB 2163 (Rep. Sylvester Turner/Senator Uresti) Relating to a study regarding the provision of certain medications through the Medicaid vendor drug program to children younger than 16 years of age. HB 2163 requires the Health and Human Services Commission to conduct a study on antipsychotic or neuroleptic medications being provided through the Medicaid vendor drug program to children younger than 16 years of age. Effective date: September 1, 2009.

HB 2196 (Rep. Truitt/Senator Deuell) Relating to the establishment of a workgroup to study and make recommendations on the integration of health and behavioral health services. HB 2196 requires the creation of a workgroup on the integration of health and behavioral health services and creates a task force for children with special needs, defined as individuals younger than 22 with a chronic illness, intellectual or developmental disabilities, or mental illness. Effective immediately.

HB 2217 (Rep. Flores/Senator Hinojosa) Relating to partnering with the United States Department of Veterans Affairs and other federal agencies to establish a veterans hospital in the Rio Grande Valley region of the state. The bill requires DSHS to work with the federal agencies to help establish a veteran's hospital in the Rio Grand Valley. Effective immediately.

HB 2303 (Rep. Truitt/Senator Uresti) Relating to the scope of services and the persons who may be provided services by a community center. HB 2303 authorizes a community mental health and mental retardation center to provide health and human services and

support through contracts with local, state, and federal agencies, in addition to performing the functions defined in the center's plan. The bill also authorizes a community mental health and mental retardation center to provide services to persons with developmental disabilities. Effective immediately.

HB 2558 (Rep. Sylvester Turner/Senator Whitmire) Relating to registration for evacuation and disaster preparedness for clients of home and community support services agencies. HB 2558 requires home and community support services agencies to assist clients with registering for disaster evacuation assistance through the 2-1-1 Network and to counsel clients as necessary regarding disaster preparedness. Effective immediately.

HB 2559 (Rep. Truitt/Senator Duncan) Relating to the powers and duties of and benefits available under the Employees Retirement System of Texas and to a chronic disease prevention and wellness pilot program administered by the system and DSHS for department employees. HB 2559 contains a number of provisions designed to strengthen the state employee retirement fund. Several provision affect current employees: 1) it allows surviving spouses and dependents to enroll in group health plans on death of a member; 2) it establishes a 90-day rehiring waiting period for members who retire on or after May 31, 2009, as well as a surcharge to be paid by the employing state agency; 3) and it increases the employee contribution from 6.0 percent to 6.45 percent of salary. Provisions affecting employees hired on or after September 1, 2009 include the following: 1) unused sick and annual leave can only be used for determination of annuity (not for calculating date of retirement); 2) retirement at 65 years and 10 years of service or rule of 80 with five years of service; 3) calculation of annuity using average of 48 highest months; and 4) reduction of annuity for each year member retires before age 60 by 5 percent, up to 25 percent. The bill also authorizes DSHS and ERS to develop an interagency contract, funded by federal stimulus funds, to establish a state employee pilot program consistent with federal guidelines for chronic disease prevention and wellness initiatives. Effective date: September 1, 2009.

HB 2585 (Rep. Hartnett/Senator Uresti) Relating to digital or electronic signatures and witness signatures on advance directives. HB 2585 updates Texas law relating to the execution, authentication, and enforcement of Advanced Medical Directives (AMDs) to address the current state of technology and current best practices applicable to them. HB 2585 states that an electronic or digital signature on an AMD is acceptable, and allows such signatures to be authenticated by a notary public. Effective date: September 1, 2009.

HB 2626 (Rep. Naishtat/Senator Zaffirini) Relating to the forensic medical examination of a sexual assault victim who has not reported the assault to a law enforcement agency. HB 2626 expands victim rights by providing the right to a forensic medical examination to victims of sexual assault who have not reported the assault to a law enforcement agency, if the forensic exam is otherwise conducted at a health care facility. The bill will result in changes to the sexual assault information sheet developed by DSHS for use by health care facilities. Effective immediately.

HB 2730 (Rep. Kolkhorst/Senator Hinojosa) Relating to the continuation and functions of the DPS and the board and provides penalties. Among other provisions, the bill allows for a contract between TDCJ and DSHS to establish a verification process for issuing driver's licenses and personal identification. HB 2730 requires DSHS to participate in an inmate verification pilot program for issuing driver's licenses and personal identification to inmates. It allows for a contract between TDCJ and DSHS to establish a verification process. The bill transfers programs relating to the dispensing of controlled substances by prescription from DPS to the Board of Pharmacy; the team developing the transfer plan is required to consult with DSHS. Effective date: HB 2730 has various effective dates, but the article that affects DSHS becomes effective on September 1, 2009.

HB 2808 (Rep. Thompson/Sen. West) Relating to the power of a licensing authority to revoke, suspend, or deny a license on the basis of certain criminal proceedings. HB 2808 prohibits a licensing authority in some circumstances from considering a person to have been convicted of an offense if the person entered a plea of guilty or nolo contendere, and the person successfully completed a period under supervision of the court at the end of which the judge dismissed the proceedings and discharged the person. Effective immediately.

HB 2845 (Rep. Riddle/Sen. Nichols) Relating to the certification of and disciplinary actions against emergency medical services personnel. HB 2845 authorizes DSHS to provide, upon request, a prescreening criminal history check for an emergency medical services personnel applicant prior to the applicant's enrollment in the educational and training requirements for certification. The bill removes the applicability of Chapter 53, Occupations Code, to individuals applying for emergency medical services personnel certification. The bill instead provides authority in Chapter 773 for DSHS to revoke, suspend, disqualify for, or deny certification of emergency medical services personnel for certain criminal offenses. It also provides that DSHS cannot take into account certain offenses. Effective date: September 1, 2009.

HB 2917 (Rep. McReynolds/Senator Shapiro) Relating to authorizing the Department of State Health Services to obtain criminal history record information for certain applicants for employment. Previous to HB 2917, statutes authorized criminal background checks and annual renewals for applicants and employees of the State Mental Health Hospitals. HB 2917 expands the authority of DSHS obtain criminal history record information for certain applicants for employment, employees, and in some cases contractors at the Texas Center for Infectious Disease, South Texas Health Care System, Vital Statistics Unit, or Council on Sex Offenders. Effective immediately.

HB 2927 (Rep. Donna Howard/Senator Nelson) Relating to the regulation of cemeteries by state and local government. HB 2927 clarifies which state agencies have jurisdiction over cemeteries. It also requires notice to DSHS in cases where remains are not re-interred. Effective date: September 1, 2009.

HB 2963 (Rep. Coleman/Senator Patrick) Relating to the authority of counties, public hospitals or hospital districts to provide indigent health care health services through the purchase of health coverage or other health benefits. HB 2963 allows counties, public

hospitals or hospital districts to provide indigent health care health services through the purchase of health coverage or other health benefits. Effective date: September 1, 2009.

HB 3012 (Rep. Coleman/Senator Nelson) Relating to food handlers and other food service employees. HB 3012 requires that all food establishment employees who handle food complete a brief food handler training course. The bill also requires that a person handling food or unsealed food containers not contact with bare hands exposed ready-to-eat food unless documentation is maintained at the food establishment listing the foods and food handling activities that involve bare-hand contact, and the food service establishment uses certain contamination control measures. Effective date: September 1, 2009.

HB 3041 (Rep. Farias/Senator Van de Putte) Relating to a comprehensive schedule of public school reporting requirements. The bill requires TEA to establish a comprehensive schedule for school district reporting. It also requires all other agencies to inform TEA of required reports so they can be included in the schedule. Effective date: September 1, 2009.

HB 3094 (Rep. Harless/Senator Patrick) Relating to the regulation of massage parlors by certain counties. HB 3094 creates a new business classification of “massage parlors” under the Local Government Code and authorizes counties to regulate them. Effective immediately.

HB 3429 (Rep. Gutierrez/Senator Van de Putte) Relating to certain program and reporting duties of the Texas AgriLife Extension Service. HB 3429 requires the Texas AgriLife Extension Service to make a presentation to the Commissioners of DSHS, TEA, and TDA and reports to the respective departments on: the Expanded Food and Nutrition Education Program; the Better Living for Texans program; and other similar programs as determined by the service. Effective immediately.

HB 3689 (Rep. McClendon/Senator Hinojosa) Relating to the functions and continuation of the Texas Youth Commission (TYC) and the Texas Juvenile Probation Commission (TJPC) and to the functions of the Office of Independent Ombudsman for the Texas Youth Commission. HB 2689 is an omnibus bill for the TYC, TJPC and the Office of the Independent Ombudsman. Among other provisions, it requires TYC, TJPC, DSHS and various other state agencies to adopt a memorandum of understanding with the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) for continuity of care for juvenile offenders with mental impairments. Effective immediately.

HB 3737 (Rep. Anchia/Senator Davis) Relating to criminal history checks for employees of, and applicants for employment at, special care facilities. HB 3737 requires special care facilities to use the Employment Misconduct Registry administered by the Department of Aging and Disability Services. Effective date: September 1, 2009.

HB 3961 (Rep. Donna Howard/Senator Nelson) Relating to the regulation of nursing. HB 3961 codifies and makes changes in Board of Nursing rules on complaints, confidentiality, sanctions and administrative penalties. The bill also assesses surcharge on nursing licenses to fund programs in the DSHS Nursing Resource section, if appropriated for that purpose, and requires the Nursing Resource section to conduct a research study on the effectiveness of nursing pre-licensure programs to be completed no later than June 30, 2014. Effective date: September 1, 2009.

HB 4029 (Rep. Marquez/Senator Shapleigh) Relating to the release of certain health care information. HB 4029 establishes that hospital payment information is confidential and limits the fees that hospitals may charge for records provided via electronic media. Effective date: September 1, 2009.

HB 4102 (Rep. Eiland/Senator Carona) Relating to the disaster contingency fund and relief for school districts located in a disaster area. HB 4102 requires any state or local government entity or other eligible entity that received funding from the Disaster Contingency Fund to reimburse the fund, once the entity had been reimbursed by the federal government, an insurer, or another source. Effective immediately.

HB 4154 (Rep. Rose/Senator Nelson) Relating to creation by HHSC of a volunteer advocate program for certain elderly individuals. The bill directs HHSC to develop a volunteer advocate program for elderly individuals receiving services from, or at the direction of, HHSC or an health and human services agency and an advisory committee, on which DSHS serves, to advise on program development, design, training curriculum, and evaluation of pilot projects, and to submit a report on the committee's activities, findings, and recommendations. Effective date: September 1, 2009.

HB 4189 (Rep. Rose/Senator Watson) Relating to the conduct of compliance programs by institutions of higher education and to the vaccination of students of institutions of higher education against bacterial meningitis. HB 4189 requires certain first-time students at public, private, or independent institutions of higher education to produce a health practitioner-signed certificate indicating the student's vaccination against bacterial meningitis. Effective immediately.

HB 4276 (Rep. Menendez/Senator Uresti) Relating to a transportation plan for persons furloughed or discharged from certain mental health facilities. HB 4276 requires the facility administrator of a mental health facility, in conjunction with the local mental health authority, to create a transportation plan for a person scheduled to be furloughed or discharged from the facility. The plan must account for the capacity of the person, be in writing, and specify who is responsible for transporting the person, when the person will be transported, and where the person will arrive. If the patient consents, the facility administrator must forward the transportation plan to a family member. Effective date: September 1, 2009.

HB 4586 (Rep. Pitts/Senator Ogden) Relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority and

prescribing limitations regarding appropriations. HB 4586 makes supplemental appropriations for the current biennium. It contains several provisions that impact DSHS: a retention bonus for employees making less than \$100,000 who are continuously employed between March and August; additional flexibility in moving funding between strategies; and appropriations for antivirals, NORTHStar, and cameras at the Rio Grande State Center. Effective immediately.

HB 4642 (Rep. Lucio/Senator Lucio) Relating to the Representative Jim Solis and Colonel H. William "Bill" Card, Jr. Outpatient Clinic. HB 4642 renames the outpatient clinic operated by DSHS' South Texas Health Care System in honor of Representative Jim Solis and Colonel H. William "Bill" Card, Jr. Effective immediately.

HCR 88 (Rep. John Davis/Senator Hinojosa) Directing the Texas Department of State Health Services and the Texas Education Agency to educate parents of adolescent Texans regarding the importance of adolescents' receiving regular physical exams and updated immunizations.