

BILL ANALYSIS

H.B. 2847
By: Geren
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

John Peter Smith Hospital (JPS) in the Tarrant County Hospital District has been developing innovative solutions for health care that help JPS Health and Hospital System produce the best possible patient outcomes. JPS seeks to develop financial resources for the system by protecting related intellectual property and making health care solutions available to other hospitals and health care providers. As internal education and research capabilities at JPS expand, innovation will grow and that innovation may result in new programs, software, applications, health care delivery paradigms, and medical devices.

The COVID-19 pandemic has sparked curiosity within the hospital system and the system is seeing research grow exponentially. The ability to protect and market intellectual property is the next step for JPS to become a cutting-edge innovative health care entity. JPS could take products from idea to market, creating new and better solutions for patients and the community. H.B. 2847 seeks to help this effort by authorizing the Tarrant County Hospital District to sell or license intellectual property in a similar manner as the legislature has authorized for the Dallas County Hospital District so that JPS-created programs may be copyrighted and bundled with trademarks to be sold as printed materials or as a service.

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. 2847 amends the Health and Safety Code to authorize the Tarrant County Hospital District or a nonprofit corporation formed by the district to do the following:

- sell or license technology or intellectual property that is owned by or licensed to the district or corporation;
- enter into a contract to provide services related to such sold or licensed technology or intellectual property;
- contract, collaborate, or enter into a joint venture or other agreement with a public or private entity to engage in an authorized activity relating to the selling, licensing, or service contracting of the technology or intellectual property; or
- take any other action necessary to protect or benefit from the exclusivity of technology and intellectual property owned by or licensed to the district or corporation.

H.B. 2847 establishes the following for purposes of the authorization for the district or corporation to contract, collaborate, or enter into an agreement with a public or private entity to engage in an applicable activity:

- the public or private entity may be a for-profit or a nonprofit entity; and
- the corporation may hold an ownership interest in the public or private entity.

H.B. 2847 exempts from public disclosure under state public information law information prepared or compiled by or for the district or corporation relating to the development of technology or intellectual property to which the bill applies.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.