

- SUBJECT:** Minimum standards for holder of a germicidal treatment permit
- COMMITTEE:** Public Health — committee substitute recommended
- VOTE:** 8 ayes — Delisi, Laubenberg, Coleman, Dawson, Jackson, McReynolds, Truitt, Zedler
- 0 nays
- 1 absent — Solis
- WITNESSES:** For — Dwight D. Dumler, Rent-A-Center, Inc.; James Macalpine, Jr.
- Against — None
- On — Annabelle Dillard, Department of State Health Services, Division of Regulatory Services
- BACKGROUND:** Among other provisions, Health and Safety Code, ch. 345 sets standards for germicidal treatment of secondhand or recycled bedding, establishes qualifications for a germicidal treatment permit, allows for inspection and compliance related to germicidal treatment of bedding by the Department of State Health Services (DSHS), and authorizes the Texas Board of Health to adopt rules necessary to implement the laws related to germicidal treatment permits.
- Sec. 345.044 provides that a bedding manufacturer or renovator shall keep its place of business in a sanitary condition satisfactory to DSHS and that the department may revoke the permit of a bedding manufacturer or renovator who violates this provision.
- DIGEST:** CSHB 1752 would require the holder of a germicidal treatment permit to maintain its place of business in a sanitary condition free from refuse, dirt contamination, insects, and vermin. DSHS, by rule, could establish additional requirements regulating the sanitary condition of a permit holder's place of business. The bill would exempt from any additional sanitary requirements the holder of a germicidal treatment permit who treated 10 items or fewer per week at its place of business.

The Health and Human Services commissioner could adopt rules to implement provisions related to bedding permits.

The bill would take effect September 1, 2005.

**SUPPORTERS  
SAY:**

CASHB 1752 would set minimum standards for businesses that perform germicidal treatment associated with secondhand or recycled bedding. The Health and Safety Code already prohibits a person from selling secondhand bedding unless it has had germicidal treatment by a method approved by DSHS. This bill would allow the department to establish additional requirements, such as ventilation or space requirements, that are necessary for warehouses or industrial establishments treating large numbers of secondhand bedding daily.

A number of small businesses currently lease furniture and bedding to consumers who need these items for a few weeks or months and then return them. Because these establishments perform germicidal treatment on only a few items per week, they do not need special facilities or rooms to treat them. These businesses appropriately would be bound by the basic requirements of this bill, but would be exempted from any additional sanitary requirements established by DSHS rule.

Business stakeholders have met with DSHS and agree to the provisions of this bill. CASHB 1752 would allow these small businesses to operate under reasonable standards without inhibiting the state's ability to protect public health.

**OPPONENTS  
SAY:**

CASHB 1752 is not necessary because current law already requires that a bedding renovator maintain a sanitary place of business. The only new aspect would be the exemption from any additional requirements for those treating or renovating 10 bedding items or fewer per week, although DSHS already is authorized to allow such an exemption by rule.

**NOTES:**

The bill as introduced would have replaced the duty of certain businesses to conduct germicidal treatment on used bedding with the duty to inspect and clean the bedding in a method approved by DSHS.