

- SUBJECT:** Oversight of regional poison control centers and poison control network
- COMMITTEE:** Public Safety — committee substitute recommended
- VOTE:** 6 ayes — Merritt, Frost, Burnam, Driver, Mallory Caraway, Vo
0 nays
3 absent — P. King, Lewis, Rodriguez
- WITNESSES:** For — None
Against — None
On — Paul Mallett, Commission on State Emergency Communications;
Greg Parker, Emergency Communications Commission; Lizette Villarreal,
South Texas Poison Center; (*Registered, but did not testify:* Lucina
Suarez, Texas Department of State Health Services, Environmental
Epidemiology and Disease Registries)
- BACKGROUND:** The state poison control network, consisting of six regional poison control centers, provides a 24-hour toll free telephone referral and information service. Regional poison control centers receive grant funding made available by an allocation of a small percentage of the 9-1-1 equalization surcharge on telephone bills. The Commission on State Emergency Communications and the Department of State Health Services jointly govern the poison control network.
- DIGEST:** CSHB 1093 would require that on May 1, 2010, all oversight functions and activities performed by the Department of State Health Services (DSHS) for the state poison control network, as well as all DSHS money, contracts, leases, rights, property, and records pertaining to the network, be transferred to the Commission on State Emergency Communications (CSEC). Legal and administrative proceedings pertaining to poison control centers that had involved DSHS would transfer to CSEC without a change in status.

Powers and duties of the CSEC. CSEC would administer the poison control network, including the six poison control centers. CSEC solely — rather than jointly with DSHS — would:

- adopt rules regarding poison control service regions;
- adopt rules establishing criteria for awarding grants to poison control centers and approve grants according to these rules; and
- accept gifts and grants on behalf of the network.

CSEC solely — rather than jointly with DSHS — could:

- vote to designate a seventh regional or satellite poison control center; and
- enter into a contract to provide telephone referral, information services, or any community programs and assistance the poison control centers were required to provide.

Instead of DSHS, CSEC would assist the regional poison control center in providing information packets on poison prevention to parents of newborns.

The equalization surcharge revenues no longer would go to DSHS, and money in the regional poison control services account only could go to CSEC.

Duties of DSHS. By February 1, 2010, CSEC and DSHS would enter into, and amend as necessary, a memorandum of understanding about the responsibilities of each agency when CSEC requested epidemiological assistance from DSHS. On request of CSEC, DSHS would provide epidemiological support to the regional poison control centers to:

- maximize the use of data collected by the poison control network;
- assist the regional poison control centers with quality control and assurance;
- assist with research; and
- coordinate poison control activities with other public health activities.

Each regional poison control center would provide DSHS access to all data and information collected by the center for public health activities and epidemiological and toxicological investigations.

Coordinating committee on poison control. The bill would reduce the membership of the coordinating committee on poison control. The committee would be composed of:

- a public member appointed by the CSEC;
- a representative from each of the six poison control centers appointed by the center's chief executive officer;
- a member appointed by the commissioner of DSHS; and
- the poison control program coordinator appointed by the CSEC.

Other provisions. The executive commissioner of HHSC or an individual designated by the commissioner would serve on the Commission on Emergency Communication.

The bill would change the names of two regional poison control centers to reflect renaming of the sponsoring health facilities.

By January 1, 2010, DSHS and CSEC would enter into a memorandum of understanding identifying the powers and duties being transferred to CSEC and establishing a plan for DSHS to transfer to CSEC records, property, and unspent appropriations pertaining to the regional control centers.

The bill would take effect September 1, 2009.

**SUPPORTERS
SAY:**

CSHB 1093 would enhance operations of the poison control network by eliminating the needlessly duplicative governance structure. Although CSEC is more than capable of sole governance of the poison control network, the current oversight structure charges both CSEC and DSHS with network rule-making as well as grant-making to and contracting with the poison control centers. By contract, the poison control centers are the actual network service-providers.

Removing DSHS's role in governance would make oversight of the poison control network more efficient by reducing needless interagency coordination. DSHS's unique contribution to the poison control network is the agency's expertise in epidemiology. CSHB 1093 would maintain the

medical mission of the poison control centers by providing continued health expertise and research assistance as necessary. Health agencies would have continued representation on the CSEC as well as the coordinating committee on poison control.

The bill also would eliminate certain representatives on the coordinating committee on poison control that have no direct interest in operations of the network. These members do not attend meetings consistently, because the committee's function is enhancing network coordination and not setting poison control policy.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

The committee substitute made several changes to the bill as filed. The substitute:

- defined the epidemiological support DSHS would provide to CSEC;
- clarified CSEC's role in oversight of the full poison control network and not just the poison control centers;
- reflected the name changes of two of the poison control centers;
- changed the membership of the coordinating committee on poison control; and
- changed the expiration date for the terms of members on the coordinating committee on poison control.