

**SUBJECT:** Allowing home care and hospice agencies to administer certain vaccines

**COMMITTEE:** Public Health — committee substitute recommended

**VOTE:** 8 ayes — Klick, Guerra, Allison, Campos, Jetton, Oliverson, Price, Smith  
0 nays  
3 absent — Coleman, Collier, Zwiener

**WITNESSES:** For — Rachel Hammon, Texas Association for Home Care & Hospice; Dave Davis, Texas Home Health; (*Registered, but did not testify:* Amanda Fredriksen, AARP; Mark Vane, Alera Caring; Dan Finch, Texas Medical Association; Jason Sabo, The Immunization Partnership; Thomas Parkinson)  
  
Against — None  
  
On — (*Registered, but did not testify:* Nycia Deal and David Kostroun, Health and Human Services Commission)

**BACKGROUND:** Health and Safety Code sec. 142.0062 allows a home and community support services agency or its registered or licensed vocational nurses to buy, store, or transport for the purpose of administering to the agency's employees, home health or hospice patients, or patient family members under physician standing orders the following:

- hepatitis B vaccine;
- influenza vaccine;
- tuberculin purified protein derivative for tuberculosis testing; and
- pneumococcal polysaccharide vaccine.

**DIGEST:** CSHB 797 would expand the list of drugs that a home and community support services agency or its registered or licensed vocational nurses could buy, store, or transport for the purpose of administering the drug to

certain individuals. It would add to the list any other vaccine approved by the U.S. Food and Drug Administration to treat or mitigate the spread of a communicable disease.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.

**SUPPORTERS  
SAY:**

CSHB 797 would increase health care access for Texans, particularly medically fragile and elderly individuals, by allowing a home and community support services agency (HCSSA) to administer vaccines approved by the U.S. Food and Drug Administration (FDA). Many elderly adults lack internet access to schedule a vaccine appointment online. Transporting to a vaccine site elderly and/or medically fragile individuals, who often have limited mobility, is arduous and could increase their risk of exposure to an infectious disease. Updating the statute would help ensure vulnerable Texans could receive the COVID-19 vaccine in the comfort and safety of their homes.

Currently, home care and hospice nurses in Texas are unable to administer COVID-19 vaccines to their patients because of statutory limitations. Nurses are clinically trained and licensed to administer vaccines. By allowing home health and hospice agency nurses under a physician standing order to administer any FDA-approved vaccine, the bill would ensure parity among health care providers.

Authorizing HCSSAs to administer any vaccine approved by the FDA also would help home health and hospice agencies and their nurses respond more efficiently to future public health emergencies involving the spread of a communicable disease.

**CRITICS  
SAY:**

No concerns identified.