

## **BILL ANALYSIS**

Senate Research Center

H.B. 2311  
By: Van de Putte (Truan)  
Health & Human Services  
4-28-97  
Engrossed

### **DIGEST**

Currently, Chapter 84 of the Health and Safety Code classifies elevated blood lead levels, asbestos levels, and other public health information relating to occupational exposure to certain substances as "occupational diseases." There are concerns that this classification may have adverse affects for both the employer and the employee in terms of health insurance coverage. This bill redefines elevated blood levels, asbestos levels, and certain other conditions as "occupational conditions" in an attempt to ensure qualification for health insurance for employees.

### **PURPOSE**

As proposed, H.B. 2311 redefines "occupational diseases" as "occupational conditions."

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas Board of Health in SECTION 2 (Sec. 84.003(b), Health and Safety Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 84, Health and Safety Code, as follows:

CHAPTER 84. New heading: REPORTING OF OCCUPATIONAL CONDITIONS

SECTION 2. Amends Sections 84.001-84.003, Health and Safety Code, as follows:

Sec. 84.001. SHORT TITLE. New short title: Occupational Conditions Reporting Act, rather than the Occupational Disease Reporting Act.

Sec. 84.002. DEFINITIONS. Defines "health professional" and redefines "occupational condition," and "reportable condition."

Sec. 84.003. New heading: REPORTABLE CONDITIONS; RULES. Provides that asbestosis and silicosis are occupational conditions, rather than diseases, that are reportable to the Texas Department of Human Services (department). Provides that blood levels in adults are laboratory findings that are reportable to the department as provided by the Texas Board of Health (board) rule. Makes conforming and nonsubstantive changes.

SECTION 3. Amends Sections 84.004(a) and (b), Health and Safety Code, to delete a provision prohibiting the department from contacting the person from whom the specimen was obtained if the notification indicates that the person has an attending physician without the attending physician's consent. Makes conforming and nonsubstantive changes.

SECTION 4. Amends Sections 84.005(b) and (c), Health and Safety Code, to make conforming changes.

SECTION 5. Amends Section 84.006(a), Health and Safety Code, to make a conforming change.

SECTION 6. Amends Sections 84.007(a) and (b), Health and Safety Code, to make conforming

changes.

SECTION 7. Amends Section 4D(b), Article 135b-6, V.T.C.S. (Texas Structural Pest Control Act) to make a conforming change.

SECTION 8. Emergency clause.  
Effective date: upon passage.