

BILL ANALYSIS

Senate Research Center

H.B. 2706
By: Gallego (Gallegos)
Administration
5/11/1999
Engrossed

DIGEST

During a disaster that requires emergency action, the state may look to its citizens for help when state manpower is overwhelmed. However, concerns about personal safety and welfare dissuade some people from volunteering their services. This bill would entitle a person, not otherwise covered by workers' compensation insurance for volunteer services, who performs volunteer services for the state in a disaster under the direction of an officer or employee of the state to medical benefits for an injury sustained by the person in the course of providing those services, under certain conditions.

PURPOSE

As proposed, H.B. 2706 entitles a person, not otherwise covered by workers' compensation insurance for volunteer services, who performs volunteer services for the state in a disaster under the direction of an officer or employee of the state to medical benefits for an injury sustained by the person in the course of providing those services, under certain conditions.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 501B, Labor Code, by adding Section 501.026, as follows:

Sec. 501.026. COVERAGE FOR CERTAIN SERVICES PROVIDED BY VOLUNTEERS.

(a) Defines "disaster."

(b) Provides that a person, not otherwise covered by workers' compensation insurance for the services performed under this section, who performs volunteer services for the state in a disaster or in scheduled emergency response training under the direction of an officer or employee of the state is entitled to medical benefits for an injury sustained by the person in the course of providing those services. Provides that an injury is not sustained in the course of providing services in a disaster unless the injury occurs while the state of disaster may reasonably be considered to be in existence.

(c) Provides that a person employed by a political subdivision who is injured in the course of providing services described by Subsection (b) is entitled to benefits as provided by that subsection only if the services are performed outside the jurisdiction of the political subdivision by which the person is employed.

(d) Authorizes a person entitled to benefits under this section to receive the benefits only if the person seeks medical attention from a doctor for the injury within 48 hours after the occurrence of the injury or after the date the person knew or should have known the injury occurred. Requires the person to comply with the requirements of Section 409.001, Labor Code.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Emergency clause.
Effective date: upon passage.