

BILL ANALYSIS

Senate Research Center
76R2801 CMR-F

S.B. 99
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Health Services
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As Filed

DIGEST

Currently, Texas law prohibits a hospital from testing a patient without the patient's consent for hepatitis B or hepatitis C. A health care worker accidentally exposed to a patient's blood or other bodily fluids cannot perform a test for hepatitis B or hepatitis C without a patient's consent. This bill would authorize a hospital to perform a test for hepatitis B or hepatitis C without a patient's consent, in a case of accidental exposure of a health care worker to a patient's blood or body fluids, and require the hospital to notify the patient and health care worker of the test results.

PURPOSE

As proposed, S.B. 99 protects health care workers who are accidentally exposed to a patient's blood or body fluids.

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 81E, Health and Safety Code, by adding Section 81.095, as follows:

Sec. 81.095. TESTING FOR ACCIDENTAL EXPOSURE. Authorizes a licensed hospital to test a patient for hepatitis B or C without the patient's consent if a health care worker is accidentally exposed to the patient's blood or other body fluids. Requires the hospital to notify the patient and the health care worker of the test results.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.