

BILL ANALYSIS

Senate Research Center
78R1641 YDB-D

S.B. 160
By: Nelson
Health and Human Services
4/11/2003
As Filed

DIGEST AND PURPOSE

Current Texas law does not address the need for educating individuals regarding anatomical gifts. As proposed, S.B. 160 requires the Texas Department of Health to develop a program to educate health care providers and attorneys on human organ donation and encourages medical and nursing schools to include organ donation education classes in their curriculum.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Health in SECTION 2 (Section 692.0145, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 49, Health and Safety Code, by adding Section 49.002, as follows:

Section 49.002. EDUCATION FOR HEALTH CARE PROVIDERS AND ATTORNEYS. Requires the Texas Department of Health (TDH) to develop an educational program regarding anatomical gifts for health care providers and attorneys in Texas. Requires the program to encourage attorneys to individuals seeking legal counsel for end-of-life decisions to provide organ donation information. Requires medical and nursing schools in Texas to include mandatory organ donation education in their curricula. Requires TDH to encourage medical schools and hospitals in Texas to require a physician in either a neurology or neurosurgery residency program to complete an advanced course in organ donation education.

SECTION 2. Amends Section 692.0145, Health and Safety Code, by adding Subsection (c) to require TDH to adopt rules to ensure that 20 percent or more of vascular organs received and distributed by a qualified organ procurement organization be distributed to individuals who have been on a Texas transplant center's waiting list for organ transplantation for the longest period.

SECTION 3. Effective date: September 1, 2003.