

BILL ANALYSIS

Senate Research Center
78R14267 MCK-D

C.S.S.B. 399
By: Van de Putte
Infrastructure Development and Security
5/13/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Under Current Texas law, the state has a duty to protect the public health, including overseeing the rapid detection of and effective response to bio-terrorism and other emergency health threats. C.S.S.B. 399 amends portions of the Health and Safety Code, the Occupations Code, and the Agriculture Code to require reports to be filed with certain local and state agencies in connection with certain diseases and other public health concerns.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Animal Health Commission in SECTION 3 (Section 161.101, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 81.042(e), Health and Safety Code, to include emergency medical service personnel, a peace officer, or a firefighter in the list of individuals required to report to the local health authority or the Texas Department of Health a suspected case of a reportable disease and all information known concerning the person.

SECTION 2. Amends Subchapter B, Chapter 562, Occupations Code, by adding Section 562.055, as follows:

Sec. 562.055. REPORT TO TEXAS DEPARTMENT OF HEALTH. Requires a pharmacist to report any unusual or increased prescription rates, unusual types of prescriptions, or unusual trends in pharmacy visits that may be caused by bioterrorism, epidemic or pandemic disease, or novel and highly fatal infectious agents or biological toxins, that might pose a substantial risk of a significant number of human fatalities or incidents of permanent or long-term disability. Provides a list of prescription-related events that require a report.

SECTION 3. Amends Sections 161.101(a), (b), and (c), Agriculture Code, as follows:

(a) Requires a veterinarian, a veterinary diagnostic laboratory, or a person having care, custody, or control of an animal to report the existence of certain diseases among livestock, exotic livestock, bison, domestic fowl, or exotic fowl to the Texas Animal Health Commission (TAHC) within 24 hours after diagnosis of the diseases.

(b) Authorizes TAHC to adopt rules that require a veterinarian, a veterinary diagnostic laboratory, or a person having care, custody, or control of an animal to report the existence of a disease other than bluetongue in an animal to TAHC within 24 hours after diagnosis if the disease meets certain requirements.

(c) Authorizes TAHC to adopt rules that require a veterinarian, a veterinary diagnostic laboratory, or a person having care, custody, or control of an animal to report a disease not covered by Subsection (a) or (b) if TAHC determines that action to be necessary for the protection of animal health in this state. Requires TAHC to immediately deliver a copy of a rule adopted under this subsection to the appropriate legislative oversight committees. Provides that a rule adopted by TAHC under this subsection expires on the first day after the last day of the first regular legislative session that begins after adoption

of the rule unless the rule is continued in effect by act of the legislature.

SECTION 4. Effective date: September 1, 2003.