

BILL ANALYSIS

Senate Research Center
80R1718 ABC-D

S.B. 204
By: Nelson
Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires health care providers to report all vaccinations of children under 18 years of age to the Department of State Health Services. Participation in the state's immunization registry is important to protect children against childhood diseases. This legislation is meant to address the needs of health care providers that elect to use electronic medical records software for submission of vaccination records to the state's immunization registry.

As proposed, S.B. 204 requires vendors that sell electronic medical record systems to Texas health care providers to include automatic uploading and downloading capabilities for the fields necessary to populate the state immunization registry.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 161.0107, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 161, Health and Safety Code, by adding Sections 161.0107 and 161.0108, as follows:

Sec. 161.0107. ELECTRONIC MEDICAL RECORDS SYSTEMS. Requires a provider of electronic medical records software packages or systems provided to a person administering immunizations in this state or an entity managing his or her immunization records to have the ability to electronically interface with the immunization registry (registry) and create electronic reports with fields necessary to populate the registry. Authorizes the executive commissioner of the Health and Human Services Commission to designate, by rule, which fields are needed to populate the registry.

Sec. 161.0108. INJUNCTION. Authorizes the attorney general to bring an action in the name of the state to enjoin a violation of Section 161.0107 and to recover attorney's fees, court costs, and investigative costs arising from the proceeding if the state prevails.

SECTION 2. Effective date: upon passage or September 1, 2007.