

BILL ANALYSIS

Senate Research Center
81R7258 JSC-F

S.B. 1138
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Department of State Health Services (DSHS) administers the Texas Poison Center Network, composed of six regional Texas Poison Control Centers whose purpose is to coordinate poison control activities across the entire state. When the Texas Poison Control Centers were created, Northwest Texas Hospital was named as the host to the Texas Panhandle Poison Center but after that hospital was sold to a private entity, Texas Tech University Health Science Center (TTUHSC) became the host institution.

Current statutes specify Northwest Texas Hospital by name as the designated host institution for the Texas Panhandle Poison Center and not TTUHSC. This inconsistency has resulted in a cumbersome administration of the contracts through the City of Amarillo, which subcontracts with TTUHSC.

As proposed, S.B. 1138 provides that TTUHSC is designated as the host institution for the Texas Panhandle Poison Center and updates legacy state agency names and current membership requirements for the Coordinating Committee on Poison Control.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Department of Health is transferred to the Department of State Health Services in SECTION 1 (Section 777.001, Health and Safety Code) of this bill.

Rulemaking authority previously granted to the Advisory Commission on State Emergency Services is transferred to the Commission on State Emergency Communications in SECTION 1 (Section 777.001, Health and Safety Code) and SECTION 3 (Section 777.009, Health and Safety Code) of this bill.

Rulemaking authority previously granted to the Texas Board of Health is transferred to the executive commissioner of the Health and Human Services Commission in SECTION 3 (Section 777.009, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 777.001, Health and Safety Code, as follows:

Sec. 777.001. REGIONAL POISON CONTROL CENTERS. (a) Provides that six regional centers for poison control are designated as the regional poison control centers for the state, including Texas Tech University Health Sciences Center, rather than Northwest Texas Hospital, Amarillo Hospital District.

(b) Requires the poison control centers to coordinate poison control activities within the designated health and human services regions for the state. Requires the Department of State Health Services (DSHS) and the Commission on State Emergency Communications (CSEC), rather than the Texas Department of Health (TDH) and the Advisory Commission on State Emergency Services, to jointly adopt rules designating the region for each poison control center. Makes conforming changes.

(c) Authorizes the executive commissioner of the Health and Human Services Commission (HHSC) to designate, rather than authorizing the Texas Board of Health to vote to designate, a seventh regional or satellite poison control center in Harris County.

SECTION 2. Amends Section 777.006, Health and Safety Code, as follows:

Sec. 777.006. INFORMATION AT BIRTH. Makes a conforming change.

SECTION 3. Amends Sections 777.008 and 777.009, Health and Safety Code, as follows:

Sec. 777.008. COORDINATING COMMITTEE. (a) Makes conforming changes.

(b) Sets forth that the coordinating committee on poison control is composed of one public member appointed by the executive commissioner of HHSC, one public member appointed by CSEC, and eight members, rather than 13 members, appointed by the chief executive officer of certain entities, which no longer include Northwest Texas Hospital, Amarillo Hospital District; The University of Texas Southwestern Medical Center at Dallas; The Texas A&M University Health Science Center; the Texas Veterinary Medical Diagnostic Laboratory; and the Department of Agriculture. Makes conforming and nonsubstantive changes.

Sec. 777.009. FUNDING. (a) Makes conforming changes.

(b) Requires the executive commissioner of HHSC on behalf of DSHS and the CSEC to jointly adopt rules to establish criteria for awarding the grants to fund the regional poison control centers. Requires that the rules require the agencies to consider certain issues. Makes conforming changes.

(c) Makes conforming and nonsubstantive changes.

(d) Makes conforming changes.

SECTION 4. Amends Sections 777.010(a) and (b), Health and Safety Code, to make conforming changes.

SECTION 5. Repealer: Section 777.011 (Regional Poison Control Services Account), Health and Safety Code.

SECTION 6. Effective date: September 1, 2009.