

## **BILL ANALYSIS**

Senate Research Center  
82R3352 NAJ-D

H.B. 3065  
By: Sheffield (Nichols)  
Health & Human Services  
5/6/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Since 1989, food service establishments have been required to display a poster depicting the Heimlich maneuver. Continuing research has been conducted into the most effective and safe manner in which to dislodge food, resulting in differing conclusions. Most specifically, the Heimlich Institute and American Red Cross have conducted research and each has a poster depicting the results of their research.

It is unclear which method of removal of Foreign Body Airway Obstruction (FBAO) should be used first. For conscious victims, case reports show success in relieving FBAO with back blows or back slaps, abdominal thrusts, and chest thrusts. Frequently more than one technique was needed to achieve relief of the obstruction. Life-threatening complications have been associated with the use of abdominal thrusts. The American Red Cross now recommends a series of back blows to dislodge food, followed by abdominal thrusts only if the back blows fail to work.

The statutory posting does not reflect the current guidance for dislodging food. Since the poster promotes a potentially dangerous maneuver, H.B. 3065 repeals the requirement that it be displayed.

H.B. 3065 amends current law relating to the requirement that certain food service establishments post a sign depicting the Heimlich maneuver.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Repealer: Subchapter E (Signs Depicting Heimlich Manuever), Chapter 438 (Public Health Measures Relating to Food), Health and Safety Code.

SECTION 2. Effective date: upon passage or September 1, 2011.