

BILL ANALYSIS

Senate Research Center
86R9460 EAS-F

H.B. 3704
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Local health departments have a need to obtain certain health data from the Department of State Health Services in order to provide proper and necessary public health services to their local communities. In some cases, this health data was originally sent by the local health departments to the Department of State Health Services (DSHS) for aggregation or as required by law, yet the local health departments are unable to access this information because state law precludes the agency from sharing this information.

H.B. 3704 would allow DSHS to share relevant public health data with local health units, local health departments, or a public health district so long as sharing that data is consistent with federal and state law.

H.B. 3704 amends current law relating to certain public health data maintained by the Department of State Health Services and shared with certain local health entities.

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. Amends Section 121.005, Health and Safety Code, by adding Subsections (e) and (f), as follows:

(e) Authorizes the Department of State Health Services (DSHS) to enter into a memorandum of understanding and data use agreement with an affiliated local health unit, local health department, or public health district that provides essential public health services to share relevant public health data maintained by DSHS in a manner consistent with federal and state law.

(f) Requires an affiliated local health unit, local health department, or public health district seeking public health data only for research purposes to submit a request to the institutional review board established under Section 108.0135 (Institutional Review Board) for review and approval of the request.

SECTION 2. Effective date: September 1, 2019.