

AN ACT

relating to the investigation of, and release of information concerning, communicable disease, including the Zika virus and other high consequence communicable diseases.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 81.046(c), Health and Safety Code, as amended by Chapters 789 (H.B. 2646) and 1278 (S.B. 1574), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

(c) Medical or epidemiological information, including information linking a person who is exposed to a person with a communicable disease, may be released:

(1) for statistical purposes if released in a manner that prevents the identification of any person;

(2) with the consent of each person identified in the information;

(3) to medical personnel treating the individual, appropriate state agencies in this state or another state, a health authority or local health department in this state or another state, or federal, county, or district courts to comply with this chapter and related rules relating to the control and treatment of communicable diseases and health conditions or under another state or federal law that expressly authorizes the disclosure of this information;

1 (4) to appropriate federal agencies, such as the
2 Centers for Disease Control and Prevention [~~of the United States~~
3 ~~Public Health Service~~], but, except as provided under Subsection
4 (c-3), the information must be limited to the name, address, sex,
5 race, and occupation of the patient, the date of disease onset, the
6 probable source of infection, and other requested information
7 relating to the case or suspected case of a communicable disease or
8 health condition;

9 (5) to medical personnel to the extent necessary in a
10 medical emergency to protect the health or life of the person
11 identified in the information; [~~or~~]

12 (6) to a designated infection control officer;

13 (7) [~~(6)~~] to governmental entities that provide first
14 responders who may respond to a situation involving a potential
15 communicable disease of concern and need the information to
16 properly respond to the situation; or

17 (8) [~~(7)~~] to a local health department or health
18 authority for a designated monitoring period based on the potential
19 risk for developing symptoms of a communicable disease of concern.

20 SECTION 2. Section 81.046, Health and Safety Code, is
21 amended by adding Subsection (c-3) to read as follows:

22 (c-3) The following medical or epidemiological information
23 relating to a person who has or is suspected of having a present or
24 potential health condition resulting from exposure to a high
25 consequence communicable disease as defined by the department,
26 including the Zika virus, may be released to an appropriate federal
27 agency:

- 1 (1) the name, address, sex, race, and occupation of
2 the person;
3 (2) the date of the onset of the health condition;
4 (3) the probable source of infection or exposure; and
5 (4) other requested information relating to the case
6 or suspected case of the infection.

7 SECTION 3. Sections 81.061(a) and (c), Health and Safety
8 Code, are amended to read as follows:

9 (a) The department shall investigate the causes and effects
10 of communicable disease and methods of prevention.

11 (c) The department may investigate the existence of
12 communicable disease in the state to determine the nature and
13 extent of the disease and potential effects on the health of
14 individuals and to formulate and evaluate the control measures used
15 to protect the public health. A person shall provide records and
16 other information to the department on request according to the
17 department's written instructions.

18 SECTION 4. To the extent of any conflict, this Act prevails
19 over another Act of the 85th Legislature, Regular Session, 2017,
20 relating to nonsubstantive additions to and corrections in enacted
21 codes.

22 SECTION 5. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 3576 was passed by the House on May 12, 2017, by the following vote: Yeas 139, Nays 3, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3576 on May 26, 2017, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3576 was passed by the Senate, with amendments, on May 24, 2017, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor