

HEALTH AND SAFETY CODE

TITLE 2. HEALTH

SUBTITLE D. PREVENTION, CONTROL, AND REPORTS OF DISEASES; PUBLIC

HEALTH DISASTERS AND EMERGENCIES

CHAPTER 100. EMERGING AND NEGLECTED TROPICAL DISEASES

Sec. 100.001. DEFINITIONS. In this chapter:

(1) "Emerging disease" means a disease that is appearing in a specific population for the first time or that is increasing in incidence or geographic range.

(2) "Health facility" includes:

(A) a general or special hospital licensed by the department under Chapter 241;

(B) a physician-owned or physician-operated clinic;

(C) a publicly or privately funded medical school;

(D) a state hospital or state school maintained and managed by the department or the Department of Aging and Disability Services;

(E) a public health clinic conducted by a local health unit, health department, or public health district organized and recognized under Chapter 121; and

(F) another facility specified by a rule adopted by the executive commissioner.

(3) "Local health unit" has the meaning assigned by Section 121.004.

(4) "Neglected tropical disease" means a parasitic or bacterial disease that:

(A) occurs solely or principally in the tropics;

(B) is largely endemic in the developing world;
and

(C) has a potential to spread through international travel or trade.

Added by Acts 2015, 84th Leg., R.S., Ch. 758 (H.B. 2055), Sec. 1, eff. September 1, 2015.

Sec. 100.002. CONFIDENTIALITY. (a) Except as specifically authorized by this chapter, reports, records, and information furnished to a department employee or to an authorized agent of the department that relate to cases or suspected cases of a health condition are confidential and may be used only for the purposes of this chapter.

(b) Reports, records, and information relating to cases or suspected cases of health conditions in the possession of the department under this chapter are not public information under Chapter 552, Government Code, and may not be released or made public on subpoena or otherwise except as provided by this chapter.

(c) The department shall release medical, epidemiological, or toxicological information:

(1) to medical personnel, appropriate state agencies, health authorities, regional directors, and public officers of counties and municipalities as necessary to comply with this chapter and rules relating to the identification, monitoring, and referral of individuals infected with an emerging or neglected tropical disease; or

(2) to appropriate federal agencies, such as the Centers for Disease Control and Prevention of the United States Public Health Service.

(d) The department may release medical, epidemiological, or toxicological information for statistical purposes, if released in a manner that prevents the identification of any person.

Added by Acts 2015, 84th Leg., R.S., Ch. 758 (H.B. 2055), Sec. 1, eff. September 1, 2015.

Sec. 100.003. LIMITATION OF LIABILITY. A health professional, a health facility, or an administrator, officer, or employee of a health facility subject to this chapter is not civilly or criminally liable for divulging information required to be released under this chapter, except in a case of gross negligence or wilful misconduct.

Added by Acts 2015, 84th Leg., R.S., Ch. 758 (H.B. 2055), Sec. 1, eff. September 1, 2015.

Sec. 100.004. COOPERATION OF GOVERNMENTAL ENTITIES. Another state board, commission, agency, or governmental entity capable of assisting the department in carrying out the intent of this chapter shall cooperate with the department and furnish expertise, services, and facilities to the program. Added by Acts 2015, 84th Leg., R.S., Ch. 758 (H.B. 2055), Sec. 1, eff. September 1, 2015.

Sec. 100.005. SENTINEL SURVEILLANCE PROGRAM. (a) The executive commissioner shall establish in the department a program to:

(1) identify by sentinel surveillance individuals infected with emerging or neglected tropical diseases;

(2) maintain a central database of laboratory-confirmed cases of emerging and neglected tropical diseases; and

(3) use the information in the database to investigate the incidence, prevalence, and trends of emerging and neglected tropical diseases.

(b) In establishing the sentinel surveillance program for emerging and neglected tropical diseases, the executive commissioner shall consider:

(1) the location of health facilities that collect locally emerging and neglected tropical disease information; and

(2) the use, privacy, and security of existing data collected by health facilities.

(c) The executive commissioner shall adopt rules to govern the operation of the program and carry out the intent of this chapter, including rules that:

(1) specify a system for selecting the demographic areas in which the department collects information; and

(2) identify the specific emerging and neglected tropical diseases that are included in the sentinel surveillance program and the manner in which diseases will be added to the program as necessary to reflect changing conditions.

Added by Acts 2015, 84th Leg., R.S., Ch. 758 (H.B. 2055), Sec. 1, eff. September 1, 2015.

Sec. 100.006. DATA COLLECTION. (a) To ensure an accurate source of data, the executive commissioner may require a health facility or health professional to make available for review by the department or by an authorized agent medical records or other information in the facility's or professional's custody or control that relates to an occurrence of an emerging or neglected tropical disease.

(b) The department shall reimburse a health facility or health professional for the actual costs incurred by the facility or professional in making copies of medical records or other information available to the department.

(c) The executive commissioner by rule shall prescribe the manner in which information is reported to the department.

Added by Acts 2015, 84th Leg., R.S., Ch. 758 (H.B. 2055), Sec. 1, eff. September 1, 2015.

Sec. 100.007. DATABASE. (a) Information collected and analyzed by the department or an authorized agent under this chapter may be placed in a central database to facilitate information sharing and provider education.

(b) The department may use the database to:

(1) design and evaluate measures to prevent the occurrence of emerging and neglected tropical diseases and other health conditions; and

(2) provide information and education to providers on the incidence of emerging and neglected tropical diseases.

Added by Acts 2015, 84th Leg., R.S., Ch. 758 (H.B. 2055), Sec. 1, eff. September 1, 2015.

Sec. 100.008. EDUCATIONAL AND INFORMATIONAL MATERIALS. The department shall make available to health facilities and health professionals:

(1) educational and informational materials concerning emerging and neglected tropical diseases; and

(2) information on the importance of monitoring and surveilling emerging and neglected tropical diseases.

Added by Acts 2015, 84th Leg., R.S., Ch. 758 (H.B. [2055](#)), Sec. 1,
eff. September 1, 2015.