

AN ACT

relating to health care institution reporting of federal money received for the coronavirus disease public health emergency.

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

SECTION 1. Subtitle D, Title 2, Health and Safety Code, is amended by adding Chapter 81A to read as follows:

CHAPTER 81A. CORONAVIRUS DISEASE PUBLIC HEALTH EMERGENCY
REPORTING

Sec. 81A.001. DEFINITIONS. In this chapter:

(1) "Coronavirus disease public health emergency" means
the period:

(A) beginning on the date the public health
emergency declared by the United States secretary of health and
human services under Section 319, Public Health Service Act (42
U.S.C. Section 247d), on January 31, 2020, with respect to the
coronavirus disease (COVID-19) took effect; and

(B) ending on the earlier of:

(i) the date the public health emergency
described by Paragraph (A) of this subdivision ends; or

(ii) January 1, 2023.

(2) "Health care institution" has the meaning assigned by Section 74.001, Civil Practice and Remedies Code.

Sec. 81A.002. HEALTH CARE INSTITUTION REPORT. (a) Except as provided by Subsection (b), and subject to Subsection (d), a health care institution that receives federal money for assisting health care institutions during the coronavirus disease public health emergency, including money received under the Coronavirus Aid, Relief, and Economic Security Act (15 U.S.C. Section 9001 et seq.), the Consolidated Appropriations Act, 2021 (Pub. L. No. 116-260), and the American Rescue Plan Act of 2021 (Pub. L. No. 117-2), shall report the money received to the commission on a monthly basis. A health care institution's initial report to the commission must include all federal money received by the institution during the period beginning January 31, 2020, and ending August 31, 2021.

(b) A health care institution is not required to report federal money:

(1) received as a loan during the coronavirus disease public health emergency from the United States Small Business Administration as part of a paycheck protection program; or

(2) received under Subsection (a) if the health care institution returned or repaid the money to the federal government.

(c) Each quarter, the commission shall compile the information described by Subsection (a) into a written report provided to:

(1) the governor, lieutenant governor, and speaker of the house of representatives;

(2) the Legislative Budget Board; and

(3) the standing committees of the legislature with primary jurisdiction over state finance and public health.

(d) The commission shall establish procedures for health care institutions to report the information required under Subsection (a). In establishing the procedures, the commission shall to the extent practicable:

(1) minimize duplication of reporting by institutions to the commission; and

(2) avoid requiring institutions to report information that is duplicative of information that institutions are required to report to the federal government.

Sec. 81A.003. DISCIPLINARY ACTION BY LICENSING AUTHORITY. The appropriate licensing authority may take disciplinary action against a health care institution that violates this chapter as if the institution violated an applicable licensing law.

Sec. 81A.004. EXPIRATION. This chapter expires September 1, 2023.

SECTION 2. This Act takes effect September 1, 2021.

S.B. No. 809

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 809 passed the Senate on March 31, 2021, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2021, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 809 passed the House, with amendment, on May 18, 2021, by the following vote: Yeas 136, Nays 1, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor