

1 (3) an applicant for employment with or an employee of
2 a person or business that contracts with the [~~public~~] hospital or
3 [~~hospital~~] district.

4 (c) The public or nonprofit hospital or hospital district
5 shall adopt a uniform method to obtain criminal history information
6 from persons described by Subsection (b). The [~~public~~] hospital or
7 [~~hospital~~] district may require the complete name, driver's license
8 number, fingerprints, or social security number of those persons.

9 (d) The public or nonprofit hospital or hospital district
10 may dismiss a person or deny a person employment or a volunteer
11 position or refuse to allow a person to work in a [~~public~~] hospital
12 or [~~hospital~~] district facility if:

13 (1) the person fails or refuses to provide information
14 described by Subsection (c); or

15 (2) the person's criminal history record information
16 reveals a conviction or deferred adjudication that renders the
17 person unqualified or unsuitable for employment or a volunteer
18 position.

19 (e) All criminal history record information received by a
20 public or nonprofit hospital or hospital district under this
21 section is privileged, confidential, and intended for the exclusive
22 use of the entity that obtained the information. The [~~public~~]
23 hospital or [~~hospital~~] district may not release or disclose
24 criminal history record information to any person or agency except
25 in a criminal proceeding, in a hearing conducted by the [~~public~~]
26 hospital or [~~hospital~~] district, to another governmental entity as
27 required by law, or as required by court order.

1 (f) The public or nonprofit hospital or hospital district
2 shall develop procedures for the custody and use of information
3 obtained under this section. After use of the information, the
4 [~~public~~] hospital or [~~hospital~~] district administrator or the
5 administrator's designee shall destroy the information in
6 accordance with the [~~public~~] hospital's or [~~hospital~~] district's
7 document destruction procedures.

8 (g) A public or nonprofit hospital, a hospital district, a
9 member of the governing board of the [~~public~~] hospital or
10 [~~hospital~~] district, or an employee of a [~~public~~] hospital or
11 [~~hospital~~] district is not civilly liable for failure to comply
12 with this chapter if the [~~public~~] hospital or [~~hospital~~] district
13 makes a good faith effort to comply.

14 SECTION 2. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2003.

David Newkum

President of the Senate

Jim Cooper

Speaker of the House

I hereby certify that S.B. No. 567 passed the Senate on April 10, 2003, by the following vote: Yeas 31, Nays 0.

Aatsye Spaw

Secretary of the Senate

I hereby certify that S.B. No. 567 passed the House on May 6, 2003, by the following vote: Yeas 143, Nays 0, two present not voting.

Robert Honey

Chief Clerk of the House

Approved:

20 MAY '03

Date

Rick Derry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5:10 pm O'CLOCK

Ann Shea
MAY 20 2003
Secretary of State