



Physicians Caring for Texans

March 23, 2021

RE: SB 347, Relating to the inclusion of local school health advisory councils as governmental bodies for purposes of the open meetings law and the public information law.

Dear Chairman Hancock and Senator Paxton,

My name is Debra Patt, MD, and I am an oncologist in Austin. I am also chair of the Texas Medical Association's (TMA's) Council on Legislation. I write to you today representing TMA, an organization of more than 55,000 physician and medical student members.

Thank you for your attention to the important role of school health advisory councils (SHACs). We appreciate the intent in Senate Bill 347 to increase transparency in their work; however, we are concerned about the possible unintended consequences of defining these groups of community volunteers as a "governmental body" under Section 551.001(3), Government Code. Volunteers who agree to take on the important work related to many parts of health and nutrition curricula in the Texas Education Code would become subject to open records statutes.

For the current and future SHAC members suggested in statute (e.g., physicians and members of other health care professions, members of the clergy, and law enforcement professionals), participation on a SHAC could open their personal communication devices, messages, email, and other correspondence to public view. We are concerned that might become a barrier to recruiting knowledgeable volunteers to ensure the full community participation needed to complete the important work of the SHAC. We ask that you consider alternate strategies, such as those found in a forthcoming substitute for Senate Bill 442 by Sen. Bryan Hughes, for providing school and community members with information related to the transparency of the operations of their SHAC.

Senators Hancock and Paxton, thank you for your consideration of this letter. If you have any questions, please do not hesitate to contact Troy Alexander, director, TMA Legislative Affairs at [troy.alexander@texmed.org](mailto:troy.alexander@texmed.org) or (512) 871-9997.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra Patt", with a long horizontal flourish extending to the right.

Debra Patt, MD  
Chair, Council on Legislation  
Texas Medical Association