



Physicians Caring for Texans

**House Public Health Committee
Texas Medical Association Written Testimony
Senate Bill 967 by Sen. Lois Kolkhorst
*April 28, 2021***

Honorable Chair Klick and esteemed members:

Thank you for the opportunity to testify on behalf of the Texas Medical Association and its more than 55,000 physician and medical student members. Our testimony today speaks on Senate Bill 967, as we want to share a few considerations on the potential public health implications of the bill.

The COVID-19 pandemic undoubtedly challenged our state's public health system both locally and statewide. As physicians fought on the front lines taking care of patients, we leaned heavily on both state and local public health authorities to make the most sound, evidence-based decisions to limit continued spread of the coronavirus and defend the health of Texans. TMA's concerns with SB 967 lie in how it may limit the ability of local authorities to respond effectively to epidemics and disease within their own communities. The use of public health orders is for when there is a dire need to protect the public's health. Often their use was necessary during the COVID-19 pandemic to limit the continued spread of the coronavirus, and limiting the spread of the virus meant fewer severely sick and dying patients rushing to hospitals and overwhelming our state's health care system. We want to be careful to not render our public health authorities powerless in scenarios where public health orders are necessary to prevent a high mortality outbreak due to a severe, high-consequence, and highly contagious disease.

Ultimately, public health decisions should not be political and instead should be based on the public health science. Using the best evidence and data, public health authorities must have the ability to quickly and effectively intervene to defend the public's health. Having to address a commissioner's court right in the middle of what can be considered the "fog of war" can be very challenging. TMA's considerations for SB 967 would be, **rather than convening the commissioner's court or other governing body of the local municipality, to allow instead a local elected official, such as a county judge, to extend a public health order.** Convening a local governing body may require more time, logistical planning, public notice alerts, and other requirements and collaborations with a number of individuals that may hinder a quick enough response to the emergency at hand. Also, as a reminder, all health authorities are appointed officials within this state. Local governing bodies already have the authority to intervene at times they feel are appropriate through the immediate removal of such appointed officials.

TMA appreciates the efforts of this committee to improve the local public health response in light of lessons learned from COVID-19 and asks for considerations of public health implications moving forward. Thank you very much for the opportunity to comment. Should you have any questions, please do not hesitate to contact Troy Alexander, TMA director of legislative affairs, at troy.alexander@texmed.org.