

BILL ANALYSIS

Senate Research Center
78R2436 YDB-F

S.B. 864
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DIGEST AND PURPOSE

Currently, physicians licensed to practice in Texas who develop a policy supporting breast-feeding are not encouraged to designate “breast-feeding friendly” in promotional materials. As proposed, S.B. 864 authorizes a physician licensed to practice in this state to use the designation “breast-feeding friendly” in promotional materials if the physician develops a policy supporting breast-feeding and submits that policy to the Texas Department of Health (TDH). The bill also requires TDH to maintain a list of such physicians and to make the list available to the public.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 165A, Health and Safety Code, by adding Section 165.0035, as follows:

Sec. 165.0035. PHYSICIAN DESIGNATION AS “BREAST-FEEDING FRIENDLY.” (a) Authorizes a physician licensed to practice in this state to use the designation “breast-feeding friendly” in promotional materials if the physician develops a policy supporting breast-feeding. Requires the physician to perform certain tasks.

(b) Requires the physician to submit the physician’s breast-feeding policy to the Texas Department of Health (TDH). Requires TDH to maintain a list of “breast-feeding friendly” physicians covered under this section and to make the list available for public inspection at TDH and on the Internet.

(c) Requires TDH to publicize the program to all obstetricians, pediatricians, family practice physicians, and general practice physicians who are licensed in this state.

SECTION 2. Requires TDH to develop and make available the list required by Section 165.0035, Health and Safety Code, as added by this Act, not later than September 1, 2004.

SECTION 3. Effective date: September 1, 2003.