

BILL ANALYSIS

S.B. 1329
By: Nelson
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Genetic services are key to the identification and treatment of a variety of disorders and are particularly important in prenatal counseling. SB 1329 is based on recommendations from the Interagency Council for Genetic Services, which was created in 1987 to study and promote the use of genetic services in Texas. The council suggested a need for additional genetic services in Texas and for better coordination of existing genetic services resources. SB 1329 aids in the promotion of genetic services.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 6 of this bill.

ANALYSIS

The bill provides that the Interagency Council for Genetic Services (council) consists of a representative of the Department of Aging and Disability Services (DADS) appointed by the commissioner of that department and a representative of the Department of State Health Services (DSHS) appointed by the commissioner of that department. The bill also amends existing requirements of the council to develop recommended contract terms that address the provision of and payment for the use of human genetic services, develop strategies, coordinate and expand education efforts, address language and cultural barriers, address the trend to transfer costs for providing genetic services, and develop recruitment strategies and educational programs.

The bill requires the council to annually submit a progress report to the executive commissioner of HHSC, to the commissioners of the DSHS and the DADS, to the commissioner of insurance and to the board of regents of The University of Texas System. The bill also requires the commissioner of state health services to appoint a task force to study best practices for educating medical students and local health care providers on genetic issues and providing for their participation in genetic services clinics. The bill provides that members of the task force are not entitled to compensation, per diem, or expense reimbursement for their service on the task force.

The bill requires the commissioner of state health services to establish an advisory committee on the licensing of genetic counselors. Sets forth the composition of the committee to that is appointed by the commissioner of state health services to include: representatives from the agencies included in the council, a DSHS employee who performs functions related to licensing, and a representative of the public. The bill requires DSHS to provide staff necessary for the advisory committee and requires the committee to make recommendations to the executive commissioner of HHSC with respect to the creation of licensing standards for genetic counselors. The bill provides that the existing Section 2110.008, Government Code, does not apply to the advisory committee.

The bill prohibits a person from acting as a genetic counselor if the person does not hold a license issued in accordance with rules adopted under this section. The bill requires the executive commissioner of HHSC to adopt rules governing the licensing requirements for genetic counselors relating to the term of the license, a fee for the license and renewal of the license set in amounts necessary to defray the costs of administering the licensing program, renewal of the license, and training or educational requirements for license holders to ensure that minimum standards are met. The executive commissioner, in adopting rules, must consider the recommendations of the advisory committee.

The bill makes conforming and nonsubstantive changes, replaces references to Mental Health and Mental Retardation to DADS as well as replacing references to the Texas Department of Health to DSHS throughout.

EFFECTIVE DATE

September 1, 2005.