

By: Crownover

H.B. No. 790

A BILL TO BE ENTITLED

AN ACT

relating to the equipment and employees necessary for the conduct of newborn screening by the Department of State Health Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Chapter 33, Health and Safety Code, is amended to read as follows:

CHAPTER 33. PHENYLKETONURIA, OTHER HERITABLE DISEASES, ~~AND~~
HYPOTHYROIDISM, AND CERTAIN OTHER DISORDERS

SECTION 2. Subchapter A, Chapter 33, Health and Safety Code, is amended by adding Section 33.004 to read as follows:

Sec. 33.004. EQUIPMENT AND EMPLOYEES. The department shall obtain the use of equipment, including tandem mass spectrometers, and hire employees necessary to administer this chapter.

SECTION 3. Section 33.011(a), Health and Safety Code, is amended to read as follows:

(a) (1) The physician attending a newborn child or the person attending the delivery of a newborn child that is not attended by a physician shall subject the child to screening tests approved by the department for phenylketonuria, other heritable diseases, ~~and~~ hypothyroidism, and other disorders for which screening is required by the department.

(2) The department shall require newborn screening tests to screen for disorders detectable by a tandem mass

1 spectrometer and listed in the core uniform panel of newborn
2 screening conditions recommended in the 2004 report by the American
3 College of Medical Genetics entitled "Newborn Screening: Toward a
4 Uniform Screening Panel and System" or another report determined by
5 the department to provide more appropriate newborn screening
6 guidelines to protect the health and welfare of this state's
7 newborns.

8 SECTION 4. Section 33.014(a), Health and Safety Code, is
9 amended to read as follows:

10 (a) If, because of an analysis of a specimen submitted under
11 Section 33.011, the department reasonably suspects that a newborn
12 child may have phenylketonuria, another heritable disease, [~~or~~]
13 hypothyroidism, or another disorder for which the screening tests
14 are required, the department shall notify the person who submits
15 the specimen that the results are abnormal and provide the test
16 results to that person. The department may notify one or more of
17 the following that the results of the analysis are abnormal and
18 recommend [~~that~~] further testing when [~~is~~] necessary:

19 (1) the physician attending the newborn child or the
20 physician's designee;

21 (2) the person attending the delivery of the newborn
22 child that was not attended by a physician;

23 (3) the parents of the newborn child;

24 (4) the health authority of the jurisdiction in which
25 the newborn child was born or in which the child resides, if known;
26 or

27 (5) physicians who are cooperating pediatric

1 specialists for the program.

2 SECTION 5. Section 33.031(a), Health and Safety Code, is
3 amended to read as follows:

4 (a) All newborn children and other individuals under 21
5 years of age who have been screened, have been found to be
6 presumptively positive through the newborn screening program for
7 phenylketonuria, other heritable diseases, hypothyroidism, or
8 another disorder for which the screening tests are required, and
9 may be financially eligible may be referred to the department's
10 services program for children with special health care needs.

11 SECTION 6. Section 33.032(a), Health and Safety Code, is
12 amended to read as follows:

13 (a) Within the limits of funds available for this purpose
14 and in cooperation with the individual's physician, the department
15 may provide services directly or through approved providers to
16 individuals of any age who meet the eligibility criteria specified
17 by board rules on the confirmation of a positive test for
18 phenylketonuria, other heritable diseases, [~~or~~] hypothyroidism, or
19 another disorder for which the screening tests are required.

20 SECTION 7. Not later than June 1, 2006, the Department of
21 State Health Services shall obtain the use of nine tandem mass
22 spectrometers and employ full-time employees to expand the newborn
23 screening program under Chapter 33, Health and Safety Code, as
24 amended by this Act.

25 SECTION 8. This Act takes effect September 1, 2005.