

By: Uresti

S.B. No. 450

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to consent for certain medical research involving children  
3 in foster care.

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

5 SECTION 1. Section 266.004, Family Code, as added by  
6 Chapter 268, Acts of the 79th Legislature, Regular Session, 2005,  
7 is amended by adding Subsection (k) to read as follows:

8 (k) Notwithstanding Subsection (b), a person may not be  
9 authorized to enroll a foster child or consent to the participation  
10 of a foster child in any clinical trial, drug study, or active  
11 medical or clinical research. This subsection does not apply to a  
12 retrospective study that is based only on medical records, claims  
13 data, or outcome data.

14 SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2007.