By: West S.B. No. 983

(In the Senate - Filed February 27, 2007; March 7, 2007, read first time and referred to Committee on Health and Human Services; March 26, 2007, reported favorably by the following vote: Yeas 8, Nays 0; March 26, 2007, sent to printer.)

A BILL TO BE ENTITLED

AN ACT

relating to the screening of newborns for sickle cell trait 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, HYPOTHYROIDISM, AND CERTAIN OTHER DISORDERS OR TRAITS

SECTION 2. Subsections (a) and (c), Section 33.002, Health and Safety Code, are amended to read as follows:

(a) The department shall carry out a program to combat morbidity, including mental retardation, and mortality in persons who have phenylketonuria, other heritable diseases, other disorders for which screening is required by the department, sickle cell trait, or hypothyroidism.

(c) The department shall establish and maintain a laboratory to:

(1) conduct experiments, projects, and other activities necessary to develop screening or diagnostic tests for the early detection of phenylketonuria, other heritable diseases, other disorders for which screening is required by the department, sickle cell trait, and hypothyroidism;

(2) develop ways and means or discover methods to be used to prevent or treat phenylketonuria, other heritable diseases, other disorders for which screening is required by the department, sickle cell trait, and hypothyroidism; and

(3) serve other purposes considered necessary by the department to carry out the program.

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

(a) 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, hypothyroidism, sickle cell trait, and other disorders for which screening is required by the department.

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

(a) If, because of an analysis of a specimen submitted under Section 33.011, the department reasonably suspects that a newborn child may have phenylketonuria, another heritable disease, hypothyroidism, sickle cell trait, or another disorder for which the screening tests are required, the department shall notify the person who submits the specimen that the results are abnormal and provide the test results to that person. The department may notify one or more of the following that the results of the analysis are abnormal and recommend further testing when necessary:

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

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

(3) the parents of the newborn child;

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

(5) physicians who are cooperating pediatric specialists for the program.

SECTION 5. Subsection (a), Section 33.031, Health and

Safety Code, is amended to read as follows:

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

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

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

SECTION 7. As soon as practicable after the effective date of this Act, the Department of State Health Services shall implement the changes in law made by this Act to the newborn screening program under Chapter 33, Health and Safety Code.

SECTION 8. This Act takes effect September 1, 2007.

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