

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 15, 2007**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB762** by Nelson (Relating to the certification and regulation of mammography systems.),  
**Committee Report 1st House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill authorizes the Department of State Health Services (DSHS) to require a person issued a certification for a mammography system to provide security to assure performance of the person's obligations related to storing and maintaining mammography records; the security shall be deposited to the credit of the perpetual care account. DSHS is authorized to determine the amount and type of security. Aligning changes related to the storage, maintenance, and distribution of mammography medical records are made to Health and Safety Code, §401.305 Radiation and Perpetual Care Account. The Comptroller of Public Accounts and DSHS are unable to estimate the amount of security deposited to the credit of the perpetual care account.

The bill also authorizes DSHS to require a facility to notify affected patients and recommend they consult their physician regarding the need for another mammogram if, during the course of an inspection, DSHS determines that a facility's mammography system fails to meet certification standards and the quality of mammography produced creates a serious risk to public health. No fiscal impact is anticipated from this section of the bill.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 537 State Health Services, Department of

**LBB Staff:** JOB, CL, PP, LR