

BILL ANALYSIS

S.B. 527
By: Nelson
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law requires a mammography facility that fails a certification standards inspection, and the failure is a Severity Level I violation, to notify all patients on whom the facility performed a mammography during the 30 days preceding the date of the inspection. The facility notification is required to include a recommendation to seek another mammogram at another facility. Facilities often have violations that have been occurring longer than 30 days before they are inspected.

S.B. 527 requires a facility to notify each patient on whom a facility performed a mammogram of certain mammography system failures if the patient's mammogram was performed during the period the mammography system failed to meet certain standards, and it requires the facility to recommend that patients consult with their physician regarding the need for another mammogram and provide patients with a list of the three closest facilities that have a certified mammography system.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 527 amends the Health and Safety Code to require a facility whose mammography system fails to meet the Department of State Health Services certification standards, by a failure that is a Severity Level I violation under the department's rules, to notify each patient on whom the facility performed a mammography during the period in which the system failed to meet the department's certification standards, rather than each patient on whom the facility performed a mammography during the 30 days preceding the date of the inspection that revealed the failure.

S.B. 527 requires the facility to recommend that the patient consult with the patient's physician regarding the need for another mammogram, rather than requiring the facility to recommend that the patient have another mammogram performed at a facility with a certified mammography system.

EFFECTIVE DATE

September 1, 2009.