

## **BILL ANALYSIS**

Senate Research Center  
81R9501 ALB-D

S.B. 1092  
By: West  
Health & Human Services  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Persons who are sickle cell trait carriers may unknowingly pass on the trait to another generation.

As proposed, S.B. 1092 includes screening for sickle-cell trait to the list of screening tests required for newborns. The bill requires notification of the person submitting a specimen if the test results related to sickle-cell trait are abnormal and authorizes the Texas Department of State Health Services (DSHS) to provide access to services and programs for children with special health care needs to those who are financially eligible.

The bill also authorizes DSHS to screen for other disorders without further statutory amendments, as funding allows.

[**Note:** While the statutory reference in this bill is to the Texas Department of Health (TDH), the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Chapter 33, Health and Safety Code, to read as follows:

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

SECTION 2. Amends Sections 33.002(a) and (c), Health and Safety Code, as follows:

(a) Requires the Texas Department of Health (TDH) to carry out a program to combat morbidity and mortality in persons who have certain disorders, including other disorders for which screening is required by TDH, sickle-cell trait, or hypothyroidism.

(c) Requires TDH to establish and maintain a laboratory to 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 TDH, sickle-cell trait, and hypothyroidism, and to develop ways and means or discover methods to be used to prevent or treat certain disorders including other disorders for which screening is required by TDH and sickle-cell trait.

SECTION 3. Amends Section 33.011(a), Health and Safety Code, to require the physician attending a newborn child or the person attending the delivery of a newborn child that is not attended by a physician to subject the child to screening tests approved by TDH for sickle-cell trait and other certain disorders.

SECTION 4. Amends Section 33.014(a), Health and Safety Code, to require TDH, if, because of an analysis of a specimen submitted under Section 33.011, TDH reasonably suspects that a newborn child may have sickle-cell trait, among other certain disorders, to notify the person who submits the specimen that the results are abnormal and provide the test results to that person.

SECTION 5. Amends Section 33.031(a), Health and Safety Code, to authorize 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 sickle-cell trait, among other certain disorders, and may be financially eligible, to be referred to TDH's services program for children with special health care needs.

SECTION 6. Amends Section 33.032(a), Health and Safety Code, to authorize DSHS to provide services directly or through approved providers to individuals of any age who meet the eligibility criteria specified by Texas Board of Health rules on the confirmation of a positive test for sickle-cell trait or other certain disorders.

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

SECTION 8. Effective date: September 1, 2009.