

AN ACT

relating to the diabetes mellitus registry pilot program.

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

SECTION 1. Section 1, Chapter 706 (H.B. 2132), Acts of the 80th Legislature, Regular Session, 2007, is amended by amending Subsections (c), (d), and (e) and adding Subsections (d-1) and (g) to read as follows:

(c) The department shall select to participate in the pilot program a public health district that serves a county with a population of less than two million and contains a municipality with a population of over one million. The department and the public health district shall create an electronic registry to track the glycosylated hemoglobin level and the diagnosis codes of each person who has a laboratory test to determine that level performed at a clinical laboratory in the district.

(d) Except as provided by Subsection (d-1), a physician practicing in the participating public health district who, on or after November 1, 2009, orders a glycosylated hemoglobin test for a patient shall submit to the clinical laboratory the diagnosis codes of a patient along with the patient's sample. A clinical laboratory located in the participating public health district shall submit to the district and the department for a patient whose diagnosis codes were submitted with the patient's sample the results of the patient's ~~[each]~~ glycosylated hemoglobin test along with the

1 diagnosis codes provided by the physician for that patient [~~that~~  
2 ~~the laboratory performs~~].

3 (d-1) A physician who orders a glycosylated hemoglobin test  
4 for a patient must provide the patient with a form developed by the  
5 department that allows the patient to opt out of having the  
6 patient's information included in the registry. If the patient  
7 opts out by signing the form, the physician:

8 (1) shall keep the form in the patient's medical  
9 records; and

10 (2) may not submit to the clinical laboratory the  
11 patient's diagnosis codes along with the patient's sample.

12 (e) The department and the participating public health  
13 district shall:

14 (1) compile results submitted under Subsection (d) of  
15 this section in order to track:

16 (A) the prevalence of diabetes mellitus among  
17 people tested in the district;

18 (B) the level of diabetic control for the  
19 patients with diabetes mellitus in each demographic group [~~exerc~~  
20 ~~over the diabetes mellitus~~];

21 (C) the trends of new diagnoses of diabetes  
22 mellitus in the district; and

23 (D) the health care costs associated with  
24 diabetes mellitus and glycosylated hemoglobin testing; and

25 (2) promote discussion and public information  
26 programs regarding diabetes mellitus.

27 (g) Not later than October 1, 2009, the department shall

1 develop and make available on its Internet website the form  
2 required under Subsection (d-1).

3 SECTION 2. Section 2, Chapter 706 (H.B. 2132), Acts of the  
4 80th Legislature, Regular Session, 2007, is amended to read as  
5 follows:

6 Sec. 2. RULES. The executive commissioner of the Health and  
7 Human Services Commission shall adopt rules to implement Section 1  
8 of this Act, including rules to govern the format and method of  
9 collecting glycosylated hemoglobin data and patient diagnosis  
10 codes.

11 SECTION 3. Section 4, Chapter 706 (H.B. 2132), Acts of the  
12 80th Legislature, Regular Session, 2007, is amended to read as  
13 follows:

14 Sec. 4. REPORT. Not later than December 1, 2010 [~~2009~~], the  
15 Department of State Health Services shall submit a report to the  
16 governor, lieutenant governor, speaker of the house of  
17 representatives, and appropriate standing committees of the  
18 legislature regarding the diabetes mellitus registry pilot program  
19 that includes:

20 (1) an evaluation of the effectiveness of the pilot  
21 program; and

22 (2) a recommendation to continue, expand, or eliminate  
23 the pilot program.

24 SECTION 4. Section 5, Chapter 706 (H.B. 2132), Acts of the  
25 80th Legislature, Regular Session, 2007, is amended to read as  
26 follows:

27 Sec. 5. EXPIRATION. This Act expires September 1, 2011

1 [2010].

2 SECTION 5. This Act takes effect September 1, 2009.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1363 was passed by the House on April 9, 2009, by the following vote: Yeas 148, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1363 on May 18, 2009, by the following vote: Yeas 128, Nays 14, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1363 was passed by the Senate, with amendments, on May 14, 2009, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor