

1-1 By: Gutierrez, Castro H.B. No. 1363
1-2 (Senate Sponsor - Van de Putte)
1-3 (In the Senate - Received from the House April 14, 2009;
1-4 April 15, 2009, read first time and referred to Committee on Health
1-5 and Human Services; May 5, 2009, reported adversely, with
1-6 favorable Committee Substitute by the following vote: Yeas 8,
1-7 Nays 0; May 5, 2009, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR H.B. No. 1363 By: Uresti

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to the diabetes mellitus registry pilot program.
1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-13 SECTION 1. Section 1, Chapter 706 (H.B. 2132), Acts of the
1-14 80th Legislature, Regular Session, 2007, is amended by amending
1-15 Subsections (c), (d), and (e) and adding Subsections (d-1) and (g)
1-16 to read as follows:

1-17 (c) The department shall select to participate in the pilot
1-18 program a public health district that serves a county with a
1-19 population of less than two million and contains a municipality
1-20 with a population of over one million. The department and the
1-21 public health district shall create an electronic registry to track
1-22 the glycosylated hemoglobin level and the diagnosis codes of each
1-23 person who has a laboratory test to determine that level performed
1-24 at a clinical laboratory in the district.

1-25 (d) Except as provided by Subsection (d-1), a physician
1-26 practicing in the participating public health district who, on or
1-27 after November 1, 2009, orders a glycosylated hemoglobin test for a
1-28 patient shall submit to the clinical laboratory the diagnosis codes
1-29 of a patient along with the patient's sample. A clinical laboratory
1-30 located in the participating public health district shall submit to
1-31 the district and the department for a patient whose diagnosis codes
1-32 were submitted with the patient's sample the results of the
1-33 patient's [each] glycosylated hemoglobin test along with the
1-34 diagnosis codes provided by the physician for that patient [that
1-35 the laboratory performs].

1-36 (d-1) A physician who orders a glycosylated hemoglobin test
1-37 for a patient must provide the patient with a form developed by the
1-38 department that allows the patient to opt out of having the
1-39 patient's information included in the registry. If the patient
1-40 opts out by signing the form, the physician:

1-41 (1) shall keep the form in the patient's medical
1-42 records; and

1-43 (2) may not submit to the clinical laboratory the
1-44 patient's diagnosis codes along with the patient's sample.

1-45 (e) The department and the participating public health
1-46 district shall:

1-47 (1) compile results submitted under Subsection (d) of
1-48 this section in order to track:

1-49 (A) the prevalence of diabetes mellitus among
1-50 people tested in the district;

1-51 (B) the level of diabetic control for the
1-52 patients with diabetes mellitus in each demographic group [exert
1-53 over the diabetes mellitus];

1-54 (C) the trends of new diagnoses of diabetes
1-55 mellitus in the district; and

1-56 (D) the health care costs associated with
1-57 diabetes mellitus and glycosylated hemoglobin testing; and

1-58 (2) promote discussion and public information
1-59 programs regarding diabetes mellitus.

1-60 (g) Not later than October 1, 2009, the department shall
1-61 develop and make available on its Internet website the form
1-62 required under Subsection (d-1).

1-63 SECTION 2. Section 2, Chapter 706 (H.B. 2132), Acts of the

2-1 80th Legislature, Regular Session, 2007, is amended to read as
 2-2 follows:

2-3 Sec. 2. RULES. The executive commissioner of the Health and
 2-4 Human Services Commission shall adopt rules to implement Section 1
 2-5 of this Act, including rules to govern the format and method of
 2-6 collecting glycosylated hemoglobin data and patient diagnosis
 2-7 codes.

2-8 SECTION 3. Section 4, Chapter 706 (H.B. 2132), Acts of the
 2-9 80th Legislature, Regular Session, 2007, is amended to read as
 2-10 follows:

2-11 Sec. 4. REPORT. Not later than December 1, 2010 [~~2009~~], the
 2-12 Department of State Health Services shall submit a report to the
 2-13 governor, lieutenant governor, speaker of the house of
 2-14 representatives, and appropriate standing committees of the
 2-15 legislature regarding the diabetes mellitus registry pilot program
 2-16 that includes:

2-17 (1) an evaluation of the effectiveness of the pilot
 2-18 program; and

2-19 (2) a recommendation to continue, expand, or eliminate
 2-20 the pilot program.

2-21 SECTION 4. Section 5, Chapter 706 (H.B. 2132), Acts of the
 2-22 80th Legislature, Regular Session, 2007, is amended to read as
 2-23 follows:

2-24 Sec. 5. EXPIRATION. This Act expires September 1, 2011
 2-25 [~~2010~~].

2-26 SECTION 5. This Act takes effect September 1, 2009.

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