

AN ACT

relating to laboratory tests measuring kidney function.

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

SECTION 1. Section 42.002, Health and Safety Code, is amended by adding Subdivisions (3) and (4) to read as follows:

(3) "Serum creatinine test" is a diagnostic test of a person's blood that measures the level of creatinine present in the blood.

(4) "Estimated glomerular filtration rate" is a calculation of a person's kidney function based on:

(A) the person's age, race, and gender; and

(B) the results of the person's serum creatinine test.

SECTION 2. Chapter 42, Health and Safety Code, is amended by adding Section 42.0047 to read as follows:

Sec. 42.0047. ESTIMATED GLOMERULAR FILTRATION RATE REPORTING. (a) A laboratory that performs a serum creatinine test on a sample from a person 18 years of age or older shall also calculate and include in the reported results the person's estimated glomerular filtration rate or the results of an alternative equivalent calculation measuring kidney function if the laboratory receives along with the sample all relevant clinical information about the person necessary to calculate the person's estimated glomerular filtration rate or perform an alternative

1 equivalent calculation. A physician requesting a serum creatinine
2 test shall provide to the laboratory all relevant clinical
3 information about the person necessary to calculate the person's
4 estimated glomerular filtration rate or perform an alternative
5 equivalent calculation unless the physician determines that the
6 calculation is unnecessary.

7 (b) The requirements under Subsection (a) do not apply to:

8 (1) a laboratory that uses equipment to perform serum
9 creatinine tests that cannot be reprogrammed to calculate the
10 estimated glomerular filtration rate or perform an alternative
11 equivalent calculation measuring kidney function; or

12 (2) a laboratory performing a serum creatinine test on
13 a sample taken from a patient who is being treated in a hospital.

14 SECTION 3. The change in law made by this Act applies only
15 to a serum creatinine test performed on or after the effective date
16 of this Act. A serum creatinine test performed before the effective
17 date of this Act is covered by the law in effect immediately before
18 that date, and the former law is continued in effect for that
19 purpose.

20 SECTION 4. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 2330 was passed by the House on April 9, 2009, by the following vote: Yeas 148, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2330 on May 23, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2330 on May 31, 2009, by the following vote: Yeas 142, Nays 0, 1 present, not voting.

Chief Clerk of the House

H.B. No. 2330

I certify that H.B. No. 2330 was passed by the Senate, with amendments, on May 21, 2009, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2330 on May 31, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor