

By: Kolkhorst

H.B. No. 2384

A BILL TO BE ENTITLED

AN ACT

1
2 relating to certain mammography systems that fail certification
3 standards.

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

5 SECTION 1. Section 401.430(f), Health and Safety Code, is
6 amended to read as follows:

7 (f) If a facility's mammography system fails to meet the
8 department's certification standards and the failure is a Severity
9 Level I violation under the department's rules, the facility shall
10 notify each patient on whom the facility performed a mammography
11 during the period in which the system failed to meet the
12 department's certification standards [~~30 days preceding the date of~~
13 ~~the inspection that revealed the failure~~]. The facility shall:

14 (1) inform the patient that the mammography system
15 failed to satisfy the department's certification standards;

16 (2) recommend that the patient consult with the
17 patient's physician regarding the need for another mammogram [~~have~~
18 ~~another mammogram performed at a facility with a certified~~
19 ~~mammography system~~]; and

20 (3) list the three facilities closest to the original
21 testing facility that have a certified mammography system.

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