

By: Ellis

S.B. No. 135

A BILL TO BE ENTITLED

AN ACT

relating to the creation and publication of cancer incidence maps  
by the Department of State Health Services.

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

SECTION 1. Chapter 82, Health and Safety Code, is amended by  
adding Section 82.0051 to read as follows:

Sec. 82.0051. CANCER INCIDENCE MAPS. (a) The department  
shall collect and develop statistical data on the incidence of  
particular types of cancer in the state and shall plot this data on  
computer-generated cancer incidence maps.

(b) The department shall establish and maintain a  
computerized mapping system for plotting the incidence of each type  
of cancer reported. In plotting incidences of cancer, the  
department shall employ a spatial filter or other statistical  
method to detect statistical anomalies and identify cancer  
clusters. The department shall plot incidences of cancer by census  
block, as recognized by the United States Census Bureau, except  
that if the board determines that plotting by this method could make  
it possible to identify a particular individual with cancer, the  
department shall aggregate census blocks to protect the  
individual's identity.

(c) The department shall:

(1) post the cancer incidence maps on its Internet  
website and make the maps available to the public by other means the

1 department considers appropriate; and

2 (2) annually update the maps.

3 (d) The department shall submit a quarterly report to the  
4 governor, the lieutenant governor, and the speaker of the house of  
5 representatives that includes:

6 (1) the current status of data entry into the mapping  
7 system required under Subsection (b);

8 (2) information remaining to be gathered or entered  
9 into the mapping system; and

10 (3) progress in using the mapping system to identify  
11 cancer clusters.

12 SECTION 2. Section 82.007(a), Health and Safety Code, is  
13 amended to read as follows:

14 (a) The department shall publish an annual report to the  
15 legislature of the information obtained or created under this  
16 chapter.

17 SECTION 3. (a) Not later than the 180th day after the  
18 effective date of this Act, the department shall submit an initial  
19 report to the legislature. The department shall make a draft of the  
20 report available to the public for review and comment not later than  
21 the 30th day before the day the report is submitted to the  
22 legislature. The report must include:

23 (1) the scientific strengths and limitations of  
24 statistical cancer incidence mapping as related to cancer  
25 recognition, prevention, cure, or control;

26 (2) the appropriate use and publication of cancer  
27 incidence maps; and

1           (3) the implementation of safeguards to prevent misuse  
2 of cancer incidence mapping, including:

3                   (A) collecting background data that ensures the  
4 accuracy of reported cancer diagnoses;

5                   (B) identifying the appropriate uses of the  
6 mapping; and

7                   (C) ensuring the confidentiality of all  
8 individual medical data.

9           (b) Not later than the 90th day after the date the initial  
10 report is submitted under Subsection (a) of this section, the  
11 department shall post on its Internet website maps that show the  
12 incidences of:

13                   (1) lung cancer; and

14                   (2) breast cancer.

15           (c) Not later than the 180th day after the date the maps are  
16 posted under Subsection (b) of this section, the department shall  
17 post on its Internet website maps that show the incidences of:

18                   (1) colorectal cancer;

19                   (2) prostate cancer; and

20                   (3) all types of cancer in the aggregate.

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