

A BILL TO BE ENTITLED

AN ACT

relating to certain mammography systems that fail certification standards.

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

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

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

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

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

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

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