

1-1 By: Nelson S.B. No. 527  
1-2 (In the Senate - Filed January 23, 2009; February 17, 2009,  
1-3 read first time and referred to Committee on Health and Human  
1-4 Services; March 13, 2009, reported favorably by the following  
1-5 vote: Yeas 9, Nays 0; March 13, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to certain mammography systems that fail certification  
1-9 standards.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (f), Section 401.430, Health and  
1-12 Safety Code, is amended to read as follows:

1-13 (f) If a facility's mammography system fails to meet the  
1-14 department's certification standards and the failure is a Severity  
1-15 Level I violation under the department's rules, the facility shall  
1-16 notify each patient on whom the facility performed a mammography  
1-17 during the period in which the system failed to meet the  
1-18 department's certification standards [~~30 days preceding the date of~~  
1-19 ~~the inspection that revealed the failure~~]. The facility shall:

1-20 (1) inform the patient that the mammography system  
1-21 failed to satisfy the department's certification standards;

1-22 (2) recommend that the patient consult with the  
1-23 patient's physician regarding the need for another mammogram [~~have~~  
1-24 ~~another mammogram performed at a facility with a certified~~  
1-25 ~~mammography system~~]; and

1-26 (3) list the three facilities closest to the original  
1-27 testing facility that have a certified mammography system.

1-28 SECTION 2. This Act takes effect September 1, 2009.

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