

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 20, 2009

TO: Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1672 by Crossover (Relating to newborn screening information.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>

The bill would define any report, record, and information relating to newborn screening as confidential and not subject to subpoena or disclosure, except as provided by the bill. The records may be disclosed for purposes of diagnosis, a court order, a medical examiner conducting an autopsy on a child, and for certain public health research purposes under certain circumstances. Reports, records and information that do not identify the child or the family of the child may be released without consent for statistical purposes, quality assurance testing, and research purposes.

The bill would require a disclosure statement to be developed by the Department of State Health Services (DSHS). The disclosure statement would inform the parent, managing conservator, or guardian that they may limit the use of genetic material by providing a written statement prohibiting the department or laboratory from retaining the genetic material. DSHS or an approved laboratory would still conduct the newborn screening test.

The bill would take effect immediately upon a two-thirds vote of each house; if it does not receive the vote necessary for immediate effect, the bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of

LBB Staff: JOB, CL, BM, MB