

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 25, 2011

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: HB411 by Laubenberg (Relating to the confidentiality of newborn screening information.),
As Passed 2nd House

No fiscal implication to the State is anticipated.

The bill would amend Sections 33.017, 33.0111, and 33.0112, Health and Safety Code. The bill would require approval by the commissioner of the Department of State Health Services (DSHS) or the commissioner's designee to disclose newborn screening information under certain circumstances, in addition to the current approval requirements. The bill would allow a parent, managing conservator, or a guardian to give consent to disclosure which may be withdrawn at a later date. The child may also revoke consent once he or she reaches the age of majority. The bill would also require that DSHS post notice on the agency's newborn screening web page when disclosure has been approved. The bill would outline the approved circumstances for releasing newborn screening information, which includes genetic material, for public health research purposes. The bill would also require the genetic material to be destroyed after specific timeframes in certain circumstances.

The bill would amend Chapter 47, Health and Safety Code, to require that newborn or infant hearing screenings be performed at certain birthing facilities unless the parent declines or the screening has already been completed. The bill would require certain reporting of initial and follow-up screening results that is currently authorized but not required. The bill would require that newborn hearing screening programs be supervised by a physician, physician's assistant, audiologist, or registered nurse in order to be certified.

DSHS indicates any cost associated with implementation of the bill could be absorbed within existing resources.

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, VJC, NB, MB