

By: Deuell

S.B. No. 253

A BILL TO BE ENTITLED

AN ACT

relating to newborn screening for congenital heart defects.

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

SECTION 1. The heading to Chapter 33, Health and Safety Code, is amended to read as follows:

CHAPTER 33. PHENYLKETONURIA, OTHER HERITABLE DISEASES,
HYPOTHYROIDISM, CONGENITAL HEART DEFECTS, AND CERTAIN OTHER
DISORDERS

SECTION 2. Section 33.001, Health and Safety Code, is amended by amending Subdivision (1) and adding Subdivisions (1-a) and (4-a) to read as follows:

(1) "Congenital heart defect" means a structural abnormality of the heart that is present at birth.

(1-a) "Heritable disease" means an inherited disease that may result in mental or physical retardation or death.

(4-a) "Pulse oximetry screening test" means a noninvasive test that estimates the percentage of hemoglobin in blood that is saturated with oxygen.

SECTION 3. Sections 33.002(a) and (c), Health and Safety Code, are amended to read as follows:

(a) The department shall carry out a program to combat morbidity, including mental retardation, and mortality in persons who have phenylketonuria, other heritable diseases, [~~or~~] hypothyroidism, or congenital heart defects.

1 (c) The department shall establish and maintain a
2 laboratory to:

3 (1) conduct experiments, projects, and other
4 activities necessary to develop screening or diagnostic tests for
5 the early detection of phenylketonuria, other heritable diseases,
6 ~~and~~ hypothyroidism, and congenital heart defects;

7 (2) develop ways and means or discover methods to be
8 used to prevent or treat phenylketonuria, other heritable diseases,
9 ~~and~~ hypothyroidism, and congenital heart defects; and

10 (3) serve other purposes considered necessary by the
11 department to carry out the program.

12 SECTION 4. Section 33.011, Health and Safety Code, is
13 amended by amending Subsections (a) and (c) and adding Subsection
14 (d) to read as follows:

15 (a) The physician attending a newborn child or the person
16 attending the delivery of a newborn child that is not attended by a
17 physician shall subject the child to:

18 (1) screening tests approved by the department for
19 phenylketonuria, other heritable diseases, hypothyroidism, and
20 other disorders for which screening is required by the department;
21 and

22 (2) a pulse oximetry screening test for congenital
23 heart defects if the child is attended by the physician or person at
24 a birthing facility.

25 (c) Except for the pulse oximetry screening test required by
26 Subsection (a)(2), the ~~The~~ screening tests required by this
27 section must be performed by the laboratory established by the

1 department or by a laboratory approved by the department under
2 Section 33.016.

3 (d) In this section, "birthing facility" means an inpatient
4 or ambulatory health care facility that offers obstetrical and
5 newborn care services. The term includes:

6 (1) a hospital licensed under Chapter 241 that offers
7 obstetrical services;

8 (2) a birthing center licensed under Chapter 244;

9 (3) a children's hospital licensed by the department;

10 or

11 (4) a facility maintained and operated by the
12 department.

13 SECTION 5. As soon as practicable after the effective date
14 of this Act, the Department of State Health Services shall
15 implement the changes in law made by this Act to the newborn
16 screening program under Chapter 33, Health and Safety Code.

17 SECTION 6. This Act takes effect September 1, 2013.