

By: Morrison, Landgraf, Farrar, Geren

H.B. No. 3374

Substitute the following for H.B. No. 3374:

By: Cook

C.S.H.B. No. 3374

A BILL TO BE ENTITLED

AN ACT

relating to information regarding Down syndrome.

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

SECTION 1. Chapter 161, Health and Safety Code, is amended by adding Subchapter W to read as follows:

SUBCHAPTER W. INFORMATION REGARDING DOWN SYNDROME

Sec. 161.651. DEFINITIONS. In this subchapter:

(1) "Down syndrome" means a chromosomal condition caused by the presence of an extra whole or partial copy of chromosome 21.

(2) "Health care provider" has the meaning assigned by Section 34.001 and includes a genetic counselor.

Sec. 161.652. INFORMATION REGARDING DOWN SYNDROME. (a) The department shall make available information regarding Down syndrome that includes:

(1) information addressing physical, developmental, educational, and psychosocial outcomes, life expectancy, clinical course, and intellectual and functional development for individuals with Down syndrome;

(2) information regarding available treatment options for individuals with Down syndrome;

(3) contact information for national and local Down syndrome education and support programs, services, and organizations, including organizations in Houston, Dallas, San

1 Antonio, and Austin, and information hotlines, resource centers,  
2 and clearinghouses; and

3 (4) any other information required by the department.

4 (b) The information described by Subsection (a) must be:

5 (1) current, evidence-based information that has been  
6 reviewed by medical experts and local Down syndrome organizations;  
7 and

8 (2) published in English and Spanish.

9 (c) The department shall make the information described by  
10 Subsection (a) available on the department's Internet website in a  
11 format that may be easily printed. The department may provide the  
12 information described by Subsection (a) in writing to health care  
13 providers if the department determines that providing written  
14 information is cost-effective.

15 Sec. 161.653. DUTY OF HEALTH CARE PROVIDER. (a) A health  
16 care provider who administers or causes to be administered a test  
17 for Down syndrome or who initially diagnoses a child with Down  
18 syndrome shall provide the information described by Section 161.652  
19 to:

20 (1) expectant parents who receive a prenatal test  
21 result indicating a probability or diagnosis that the unborn child  
22 has Down syndrome; or

23 (2) a parent of a child who receives:

24 (A) a test result indicating a probability or  
25 diagnosis that the child has Down syndrome; or

26 (B) a diagnosis of Down syndrome.

27 (b) In addition to providing the information described by

1 Subsection (a), a health care provider may provide additional  
2 information about Down syndrome that is current and evidence-based  
3 and has been reviewed by medical experts and national Down syndrome  
4 organizations.

5 (c) A health care provider who is unable to access the  
6 information described by Section 161.652 may not be held civilly or  
7 criminally liable or subject to review or disciplinary action by  
8 the appropriate licensing authority for failing to provide that  
9 information as required by Subsection (a).

10 SECTION 2. This Act takes effect September 1, 2015.