

1-1 By: Zaffirini S.B. No. 1128
 1-2 (In the Senate - Filed March 10, 2015; March 17, 2015, read
 1-3 first time and referred to Committee on Health and Human Services;
 1-4 April 16, 2015, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; April 16, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to certain diagnostic testing during pregnancy.
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-21 SECTION 1. Sections 81.090(a-1), (c), (c-1), and (c-2),
 1-22 Health and Safety Code, are amended to read as follows:
 1-23 (a-1) A physician or other person permitted by law to attend
 1-24 a pregnant woman during gestation or at delivery of an infant shall:
 1-25 (1) take or cause to be taken a sample of the woman's
 1-26 blood or other appropriate specimen at an examination in the third
 1-27 trimester of the pregnancy;
 1-28 (2) submit the sample to an appropriately certified
 1-29 laboratory for a diagnostic test approved by the United States Food
 1-30 and Drug Administration for syphilis and HIV infection; and
 1-31 (3) retain a report of each case for nine months and
 1-32 deliver the report to any successor in the case.
 1-33 (c) A physician or other person in attendance at a delivery
 1-34 shall:
 1-35 (1) take or cause to be taken a sample of blood or
 1-36 other appropriate specimen from the mother on admission for
 1-37 delivery; and
 1-38 (2) submit the sample to an appropriately certified
 1-39 laboratory for diagnostic testing approved by the United States
 1-40 Food and Drug Administration for ~~+~~
 1-41 [~~(A)~~ syphilis, and
 1-42 [~~(B)~~] hepatitis B infection.
 1-43 (c-1) If the physician or other person in attendance at the
 1-44 delivery does not find in the woman's medical records results from
 1-45 the diagnostic test for syphilis and HIV infection performed under
 1-46 Subsection (a-1), the physician or person shall:
 1-47 (1) take or cause to be taken a sample of blood or
 1-48 other appropriate specimen from the mother;
 1-49 (2) submit the sample to an appropriately certified
 1-50 laboratory for diagnostic testing approved by the United States
 1-51 Food and Drug Administration for syphilis and HIV infection; and
 1-52 (3) instruct the laboratory to expedite the processing
 1-53 of the test so that the results are received less than six hours
 1-54 after the time the sample is submitted.
 1-55 (c-2) If the physician or other person in attendance at the
 1-56 delivery does not find in the woman's medical records results from a
 1-57 diagnostic test for syphilis and HIV infection performed under
 1-58 Subsection (a-1), and the diagnostic test for syphilis and HIV
 1-59 infection was not performed before delivery under Subsection (c-1),
 1-60 the physician or other person in attendance at delivery shall:
 1-61 (1) take or cause to be taken a sample of blood or

2-1 other appropriate specimen from the newborn child less than two
2-2 hours after the time of birth;

2-3 (2) submit the sample to an appropriately certified
2-4 laboratory for a diagnostic test approved by the United States Food
2-5 and Drug Administration for syphilis and HIV infection; and

2-6 (3) instruct the laboratory to expedite the processing
2-7 of the test so that the results are received less than six hours
2-8 after the time the sample is submitted.

2-9 SECTION 2. Sections 81.090(a-1), (c), (c-1), and (c-2),
2-10 Health and Safety Code, as amended by this Act, apply only to
2-11 submission of a sample for diagnostic testing on or after the
2-12 effective date of this Act. The submission of a sample for
2-13 diagnostic testing before the effective date of this Act is covered
2-14 by the law in effect immediately before the effective date of this
2-15 Act, and the former law is continued in effect for that purpose.

2-16 SECTION 3. This Act takes effect September 1, 2015.

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