

By: Gonzales of Williamson

H.B. No. 274

A BILL TO BE ENTITLED

AN ACT

relating to information regarding spina bifida.

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

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

SUBCHAPTER W. INFORMATION REGARDING DOWN SYNDROME AND SPINA BIFIDA

SECTION 2. Section 161.651, Health and Safety Code, is amended by adding Subdivision (3) to read as follows:

(3) "Spina bifida" means a neural tube defect, the most common of which is the open neural tube defect myelomeningocele.

SECTION 3. The heading to Section 161.652, Health and Safety Code, is amended to read as follows:

Sec. 161.652. INFORMATION REGARDING DOWN SYNDROME AND SPINA BIFIDA.

SECTION 4. Sections 161.652(a) and (b), Health and Safety Code, are amended to read as follows:

(a) The department shall make available information regarding Down syndrome and spina bifida 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 and individuals with spina bifida;

(2) information regarding available treatment options

1 for individuals with Down syndrome and individuals with spina
2 bifida;

3 (3) contact information for any national and local
4 Down syndrome and spina bifida education and support programs,
5 services, and organizations, including organizations in Houston,
6 Dallas, San Antonio, and Austin, and information hotlines, resource
7 centers, and clearinghouses; and

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

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

10 (1) current, evidence-based information that:

11 (A) has been reviewed by medical experts and the
12 local Down syndrome and spina bifida organizations; and

13 (B) does not explicitly or implicitly present
14 pregnancy termination as an option when a prenatal test indicates
15 that the unborn child has Down syndrome or spina bifida; and

16 (2) published in English and Spanish.

17 SECTION 5. Sections 161.653(a) and (b), Health and Safety
18 Code, are amended to read as follows:

19 (a) A health care provider who administers or causes to be
20 administered a test for Down syndrome or spina bifida or who
21 initially diagnoses a child with Down syndrome or spina bifida
22 shall provide the information described by Section 161.652 to:

23 (1) expectant parents who receive a prenatal test
24 result indicating a probability or diagnosis that the unborn child
25 has Down syndrome or spina bifida; or

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

27 (A) a test result indicating a probability or

1 diagnosis that the child has Down syndrome or spina bifida; or

2 (B) a diagnosis of Down syndrome or spina bifida.

3 (b) In addition to providing the information described by
4 Subsection (a), a health care provider may provide additional
5 information about Down syndrome or spina bifida that is current and
6 evidence-based and has been reviewed by medical experts and
7 national Down syndrome or spina bifida organizations, as
8 applicable.

9 SECTION 6. (a) The Department of State Health Services
10 shall make available the information described by 161.652, Health
11 and Safety Code, as amended by this Act, not later than January 1,
12 2018.

13 (b) A health care provider is not required to comply with
14 Section 161.653, Health and Safety Code, as amended by this Act,
15 before February 1, 2018.

16 SECTION 7. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2017.