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H.B. No. 1076

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the mandatory spinal screening of public and private
3 school students.

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

5 SECTION 1. Section 37.001, Health and Safety Code, is
6 amended by amending Subsection (b) and adding Subsection (b-1) to
7 read as follows:

8 (b) The executive commissioner, in cooperation with the
9 Texas Education Agency, shall adopt rules for the mandatory spinal
10 screening of children [~~in grades 6 and 9~~] attending public or
11 private schools. In adopting rules under this subsection, the
12 executive commissioner shall consider the most recent nationally
13 accepted and peer-reviewed scientific research in determining the
14 appropriate ages for conducting the spinal screening. The
15 department shall coordinate the spinal screening program with any
16 other screening program conducted by the department on those
17 children.

18 (b-1) The executive commissioner, in cooperation with the
19 Texas Education Agency, by rule shall develop a process to notify a
20 parent, managing conservator, or guardian of:

- 21 (1) the screening requirement;
22 (2) the purposes of and reasons for the screening
23 requirement, including prevention of painful scoliosis correction
24 surgery and medical risks to the child if screening is declined;

1 (3) the noninvasive nature of the method used to
2 conduct the screening; and

3 (4) the method for declining to comply with the
4 screening requirement through the use of an exemption described by
5 Section 37.002(b).

6 SECTION 2. (a) The executive commissioner of the Health and
7 Human Services Commission shall adopt rules under Section 37.001,
8 Health and Safety Code, as amended by this Act, not later than
9 January 1, 2018.

10 (b) This Act applies beginning with the 2018-2019 school
11 year.

12 SECTION 3. This Act takes effect September 1, 2017.