

AN ACT

relating to the mandatory spinal screening of public and private school students.

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

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

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

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

- (1) the screening requirement;
- (2) the purposes of and reasons for the screening requirement, including prevention of painful scoliosis correction 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.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1076 was passed by the House on May 3, 2017, by the following vote: Yeas 146, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1076 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor