

By: Oliverson, Howard, Sheffield, Meyer,  
VanDeaver, et al.

H.B. No. 1076

Substitute the following for H.B. No. 1076:

By: Huberty

C.S.H.B. No. 1076

A BILL TO BE ENTITLED

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.