

By: White

H.B. No. 2695

A BILL TO BE ENTITLED

AN ACT

relating to information regarding fetal alcohol spectrum disorders.

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

SECTION 1. Chapter 161, Health and Safety Code, is amended by adding Subchapter X to read as follows:

SUBCHAPTER X. INFORMATION REGARDING FETAL ALCOHOL SPECTRUM DISORDERS

Sec. 161.701. DEFINITIONS. In this subchapter:

(1) "Fetal alcohol spectrum disorder" means one of a group of conditions that can occur in a person who is exposed to alcohol in utero.

(2) "Health care provider" has the meaning assigned by Section 34.001.

Sec. 161.702. DUTY OF HEALTH CARE PROVIDER. (a) At the time of initial contact, a health care provider who provides care to an expectant mother or who initially diagnoses a child with a fetal alcohol spectrum disorder shall provide information regarding fetal alcohol spectrum disorders to:

(1) expectant parents; or

(2) a parent of a child who receives a diagnosis of a fetal alcohol spectrum disorder.

(b) The information described by Subsection (a) must be current and evidence-based and must have been reviewed by medical

1 experts and state or national fetal alcohol spectrum disorder
2 organizations.

3 (c) Notwithstanding any other law, this section does not
4 impose a standard of care or create an obligation or duty that
5 provides a basis for a cause of action against a health care
6 provider. A health care provider may not be held civilly or
7 criminally liable for failing to provide information as required by
8 Subsection (a).

9 SECTION 2. This Act takes effect September 1, 2017.