

By: Farrar

H.B. No. 3120

A BILL TO BE ENTITLED

AN ACT

relating to increasing awareness of the dangers of exposing children to secondhand smoke.

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

SECTION 1. Section 161.501(a), Health and Safety Code, is amended to read as follows:

(a) A hospital, birthing center, physician, nurse midwife, or midwife who provides prenatal care to a pregnant woman during gestation or at delivery of an infant shall:

(1) provide the woman and the father of the infant, if possible, or another adult caregiver for the infant, with a resource pamphlet that includes:

(A) a list of the names, addresses, and phone numbers of professional organizations that provide postpartum counseling and assistance to parents relating to postpartum depression and other emotional trauma associated with pregnancy and parenting;

(B) information regarding the prevention of shaken baby syndrome including:

(i) techniques for coping with anger caused by a crying baby;

(ii) different methods for preventing a person from shaking a newborn, infant, or other young child;

(iii) the dangerous effects of shaking a

1 newborn, infant, or other young child; and

2 (iv) the symptoms of shaken baby syndrome
3 and who to contact, as recommended by the American Academy of
4 Pediatrics, if a parent suspects or knows that a baby has been
5 shaken in order to receive prompt medical treatment;

6 (C) a list of diseases for which a child is
7 required by state law to be immunized and the appropriate schedule
8 for the administration of those immunizations;

9 (D) the appropriate schedule for follow-up
10 procedures for newborn screening;

11 (E) information regarding sudden infant death
12 syndrome, including current recommendations for infant sleeping
13 conditions to lower the risk of sudden infant death syndrome;

14 (F) educational information in both English and
15 Spanish on:

16 (i) pertussis disease and the availability
17 of a vaccine to protect against pertussis, including information on
18 the Centers for Disease Control and Prevention recommendation that
19 parents receive Tdap during the postpartum period to protect
20 newborns from the transmission of pertussis; and

21 (ii) the incidence of cytomegalovirus,
22 birth defects caused by congenital cytomegalovirus, and available
23 resources for the family of an infant born with congenital
24 cytomegalovirus; ~~and~~

25 (G) the danger of heatstroke for a child left
26 unattended in a motor vehicle; and

27 (H) information in both English and Spanish from

1 reputable sources, including the Centers for Disease Control and
2 Prevention and the surgeon general of the United States Public
3 Health Service, regarding the dangers of exposing a newborn,
4 infant, or other child to secondhand smoke and available resources
5 to assist a person who wants to stop smoking;

6 (2) if the woman is a recipient of medical assistance
7 under Chapter 32, Human Resources Code, provide the woman and the
8 father of the infant, if possible, or another adult caregiver with a
9 resource guide that includes information in both English and
10 Spanish relating to the development, health, and safety of a child
11 from birth until age five, including information relating to:

12 (A) selecting and interacting with a primary
13 health care practitioner and establishing a "medical home" for the
14 child;

15 (B) dental care;

16 (C) effective parenting;

17 (D) child safety;

18 (E) the importance of reading to a child;

19 (F) expected developmental milestones;

20 (G) health care resources available in the state;

21 (H) selecting appropriate child care; and

22 (I) other resources available in the state;

23 (3) document in the woman's record that the woman
24 received the resource pamphlet described in Subdivision (1) and the
25 resource guide described in Subdivision (2), if applicable; and

26 (4) retain the documentation for at least five years
27 in the hospital's, birthing center's, physician's, nurse midwife's,

1 or midwife's records.

2 SECTION 2. (a) Not later than December 1, 2017, the
3 Department of State Health Services shall make the informational
4 materials required by Section 161.501(a)(1), Health and Safety
5 Code, as amended by this Act, available on its Internet website.

6 (b) Notwithstanding Section 161.501(a)(1)(H), Health and
7 Safety Code, as added by this Act, a facility is not required to
8 comply with that provision until January 1, 2018.

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