

By: Lucio

S.B. No. 545

A BILL TO BE ENTITLED

AN ACT

relating to information regarding autism 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 AUTISM SPECTRUM DISORDERS

Sec. 161.701. DEFINITIONS. In this subchapter:

(1) "Autism spectrum disorder" has the meaning assigned by Section 1355.001, Insurance Code.

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

Sec. 161.702. INFORMATION REGARDING AUTISM SPECTRUM DISORDERS. (a) The department shall make available information regarding autism spectrum disorders that includes:

(1) information addressing physical, developmental, educational, and psychosocial outcomes, behavioral safety concerns, life expectancy, clinical course, and intellectual and functional development for individuals with an autism spectrum disorder;

(2) information regarding available treatment options for individuals with an autism spectrum disorder;

(3) contact information for national and local autism spectrum disorder education and support programs, services, and organizations, including organizations in Houston, Dallas, San

1 Antonio, and Austin, and information hotlines, resource centers,
2 and clearinghouses; and

3 (4) any other information required by the department.

4 (b) The information described by Subsection (a) must be:

5 (1) current, evidence-based information that has been
6 reviewed by medical experts and local autism spectrum disorder
7 organizations; and

8 (2) published in English and Spanish.

9 (c) The department shall make the information described by
10 Subsection (a) available on the department's Internet website in a
11 format that may be easily printed. The department may provide the
12 information described by Subsection (a) in writing to health care
13 providers if the department determines that providing written
14 information is cost-effective.

15 Sec. 161.703. DUTY OF HEALTH CARE PROVIDER. (a) A health
16 care provider who administers or causes to be administered a test
17 for an autism spectrum disorder or who initially diagnoses a child
18 with an autism spectrum disorder shall provide the information
19 described by Section 161.702 to a parent of a child who receives:

20 (1) a test result indicating a probability or
21 diagnosis that the child has an autism spectrum disorder; or

22 (2) a diagnosis of an autism spectrum disorder.

23 (b) In addition to providing the information described by
24 Subsection (a), a health care provider may provide additional
25 information about autism spectrum disorders that is current and
26 evidence-based and has been reviewed by medical experts and
27 national autism spectrum disorder organizations.

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

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