

By: Darby, Oliverson, Price,
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H.B. No. 2255

A BILL TO BE ENTITLED

AN ACT

relating to newborn and infant hearing screening results and the provision of information following a screening.

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

SECTION 1. Section 47.0031(b), Health and Safety Code, is amended to read as follows:

(b) If a newborn or an infant does not pass the screening in a follow-up hearing screening, the program that performed the follow-up hearing screening on the newborn or infant shall:

(1) provide the screening results to:

(A) the newborn's or infant's parents [~~with the screening results~~]; and

(B) with the prior written consent of the newborn's or infant's parents, the primary statewide resource center established under Section 30.051, Education Code;

(2) assist in scheduling a diagnostic audiological evaluation for the newborn or infant, consistent with the most current guidelines in the Joint Committee on Infant Hearing Position Statement, or refer the newborn or infant to a licensed audiologist who provides diagnostic audiological evaluations for newborns or infants that are consistent with the most current guidelines in the Joint Committee on Infant Hearing Position Statement; and

(3) refer the newborn or infant to early childhood

1 intervention services and the primary statewide resource center
2 established under Section 30.051, Education Code.

3 SECTION 2. Section 47.005, Health and Safety Code, is
4 amended by amending Subsections (a) and (b) and adding Subsection
5 (a-1) to read as follows:

6 (a) A birthing facility that operates a program shall
7 simultaneously distribute to the parents of each newborn or infant
8 who is screened:

9 (1) the screening results; and

10 (2) educational and informational materials that are
11 standardized by the department regarding:

12 (A) [~~screening results and~~ follow-up care; and

13 (B) available public resources, including:

14 (i) early childhood intervention services
15 developed under Chapter 73, Human Resources Code;

16 (ii) the primary statewide resource center
17 established under Section 30.051, Education Code; and

18 (iii) contact information for Texas Early
19 Hearing Detection and Intervention.

20 (a-1) The department shall make available to the public on
21 request the educational and informational materials described by
22 Subsection (a)(2).

23 (b) A birthing facility that operates a program shall report
24 screening results to:

25 (1) the parents;

26 (2) the newborn's or infant's attending physician,
27 primary care physician, or other applicable health care provider;

1 [~~and~~]

2 (3) the department; and

3 (4) the primary statewide resource center established
4 under Section 30.051, Education Code.

5 SECTION 3. Section 47.008(c), Health and Safety Code, is
6 amended to read as follows:

7 (c) The executive commissioner by rule shall develop
8 guidelines to protect the confidentiality of patients in accordance
9 with Chapter 159, Occupations Code, and require the written consent
10 of a parent or guardian of a patient before any individually
11 identifying information is provided to the department or the
12 primary statewide resource center established under Section
13 30.051, Education Code, as set out in this chapter. The department
14 and center shall permit a parent or guardian at any time to withdraw
15 information provided to the department or center under this
16 chapter.

17 SECTION 4. As soon as practicable after the effective date
18 of this Act, the executive commissioner of the Health and Human
19 Services Commission shall adopt rules as necessary to implement the
20 changes in law made by this Act.

21 SECTION 5. This Act takes effect September 1, 2019.