

By: Darby, Oliverson, Price,  
Thompson of Harris

H.B. No. 2255

Substitute the following for H.B. No. 2255:

By: Thompson of Harris

C.S.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;

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.