

1-1 By: Darby, et al. (Senate Sponsor - Johnson) H.B. No. 2255
1-2 (In the Senate - Received from the House April 11, 2019;
1-3 April 15, 2019, read first time and referred to Committee on Health
1-4 & Human Services; May 1, 2019, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; May 1, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	<u>Kolkhorst</u>	X		
1-9	<u>Perry</u>	X		
1-10	<u>Buckingham</u>	X		
1-11	<u>Campbell</u>	X		
1-12	<u>Flores</u>	X		
1-13	<u>Johnson</u>	X		
1-14	<u>Miles</u>	X		
1-15	<u>Powell</u>	X		
1-16	<u>Seliger</u>	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to newborn and infant hearing screening results and the
1-20 provision of information following a screening.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 47.0031(b), Health and Safety Code, is
1-23 amended to read as follows:

1-24 (b) If a newborn or an infant does not pass the screening in
1-25 a follow-up hearing screening, the program that performed the
1-26 follow-up hearing screening on the newborn or infant shall:

1-27 (1) provide the screening results to:

1-28 (A) the newborn's or infant's parents [~~with the~~
1-29 ~~screening results~~]; and

1-30 (B) with the prior written consent of the
1-31 newborn's or infant's parents, the primary statewide resource
1-32 center established under Section 30.051, Education Code;

1-33 (2) assist in scheduling a diagnostic audiological
1-34 evaluation for the newborn or infant, consistent with the most
1-35 current guidelines in the Joint Committee on Infant Hearing
1-36 Position Statement, or refer the newborn or infant to a licensed
1-37 audiologist who provides diagnostic audiological evaluations for
1-38 newborns or infants that are consistent with the most current
1-39 guidelines in the Joint Committee on Infant Hearing Position
1-40 Statement; and

1-41 (3) refer the newborn or infant to early childhood
1-42 intervention services and the primary statewide resource center
1-43 established under Section 30.051, Education Code.

1-44 SECTION 2. Section 47.005, Health and Safety Code, is
1-45 amended by amending Subsections (a) and (b) and adding Subsection
1-46 (a-1) to read as follows:

1-47 (a) A birthing facility that operates a program shall
1-48 simultaneously distribute to the parents of each newborn or infant
1-49 who is screened:

1-50 (1) the screening results; and

1-51 (2) educational and informational materials that are
1-52 standardized by the department regarding:

1-53 (A) [~~screening results and~~] follow-up care; and

1-54 (B) available public resources, including:

1-55 (i) early childhood intervention services
1-56 developed under Chapter 73, Human Resources Code;

1-57 (ii) the primary statewide resource center
1-58 established under Section 30.051, Education Code; and

1-59 (iii) contact information for Texas Early
1-60 Hearing Detection and Intervention.

1-61 (a-1) The department shall make available to the public on

2-1 request the educational and informational materials described by
2-2 Subsection (a)(2).

2-3 (b) A birthing facility that operates a program shall report
2-4 screening results to:

2-5 (1) the parents;

2-6 (2) the newborn's or infant's attending physician,
2-7 primary care physician, or other applicable health care provider;
2-8 [~~and~~]

2-9 (3) the department; and

2-10 (4) the primary statewide resource center established
2-11 under Section 30.051, Education Code.

2-12 SECTION 3. Section 47.008(c), Health and Safety Code, is
2-13 amended to read as follows:

2-14 (c) The executive commissioner by rule shall develop
2-15 guidelines to protect the confidentiality of patients in accordance
2-16 with Chapter 159, Occupations Code, and require the written consent
2-17 of a parent or guardian of a patient before any individually
2-18 identifying information is provided to the department or the
2-19 primary statewide resource center established under Section
2-20 30.051, Education Code, as set out in this chapter. The department
2-21 and center shall permit a parent or guardian at any time to withdraw
2-22 information provided to the department or center under this
2-23 chapter.

2-24 SECTION 4. As soon as practicable after the effective date
2-25 of this Act, the executive commissioner of the Health and Human
2-26 Services Commission shall adopt rules as necessary to implement the
2-27 changes in law made by this Act.

2-28 SECTION 5. This Act takes effect September 1, 2019.

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