

1-1 By: Klick, Johnson of Dallas, Toth H.B. No. 2478
 1-2 (Senate Sponsor - Blanco)
 1-3 (In the Senate - Received from the House May 1, 2023;
 1-4 May 1, 2023, read first time and referred to Committee on Health &
 1-5 Human Services; May 21, 2023, reported favorably by the following
 1-6 vote: Yeas 8, Nays 1; May 21, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12		X		
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to newborn and infant screening tests.
 1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-22 SECTION 1. Subchapter B, Chapter 33, Health and Safety
 1-23 Code, is amended by adding Section 33.020 to read as follows:
 1-24 Sec. 33.020. ANNUAL REPORT. (a) For each newborn screening
 1-25 test that screens for a disorder included in the list of core
 1-26 conditions described by Section 33.011(a-1) that is not required by
 1-27 the department, the department shall, not later than September 1 of
 1-28 each year, prepare and submit a written report to the governor, the
 1-29 lieutenant governor, the speaker of the house of representatives,
 1-30 and each standing committee of the legislature having primary
 1-31 jurisdiction over the department. The written report must:
 1-32 (1) identify any additional program capacity or
 1-33 resources the department would need to:
 1-34 (A) implement the additional newborn screening
 1-35 test; and
 1-36 (B) require each newborn in the state to receive
 1-37 the additional newborn screening test; and
 1-38 (2) summarize the plan for implementing and requiring
 1-39 the additional newborn screening test, including by identifying:
 1-40 (A) any potential barriers to implementation;
 1-41 and
 1-42 (B) the anticipated implementation date.
 1-43 (b) As part of the plan described by Subsection (a)(2), the
 1-44 report must include information on whether the department is
 1-45 capable of implementing the required additional newborn screening
 1-46 test within a 24-month period.
 1-47 SECTION 2. Section 33.052, Health and Safety Code, is
 1-48 amended by adding Subsection (a-1) to read as follows:
 1-49 (a-1) The department may use money appropriated under
 1-50 Subsection (a) to ensure that the laboratory established by the
 1-51 department or a laboratory approved by the department under Section
 1-52 33.016 is available seven days a week to perform screening tests
 1-53 required by the department under Section 33.011.
 1-54 SECTION 3. Chapter 47, Health and Safety Code, is amended by
 1-55 adding Section 47.0032 to read as follows:
 1-56 Sec. 47.0032. TESTING FOR CONGENITAL CYTOMEGALOVIRUS. (a)
 1-57 In this section, "congenital cytomegalovirus" has the meaning
 1-58 assigned by Section 46.001.
 1-59 (b) If a newborn or infant does not pass the hearing
 1-60 screening performed under Section 47.003, the program that
 1-61 performed the screening shall perform or cause to be performed a

2-1 test for congenital cytomegalovirus on the newborn or infant unless
2-2 the newborn's or infant's parent declines the test.

2-3 (c) If the newborn or infant receives a positive test for
2-4 congenital cytomegalovirus, the entity that performed the test
2-5 shall provide the newborn's or infant's parents with:

2-6 (1) the results of the test;

2-7 (2) information on the potential effects of congenital
2-8 cytomegalovirus and the available treatment options; and

2-9 (3) a referral to an appropriate physician or facility
2-10 for the treatment of congenital cytomegalovirus.

2-11 SECTION 4. Section 33.054, Health and Safety Code, is
2-12 repealed.

2-13 SECTION 5. Section 47.0032, Health and Safety Code, as
2-14 added by this Act, applies only to a newborn or infant hearing
2-15 screening performed on or after the effective date of this Act.

2-16 SECTION 6. This Act takes effect September 1, 2023.

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