

BILL ANALYSIS

Senate Research Center

H.B. 391
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Health & Human Services
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Engrossed

DIGEST AND PURPOSE

Epidemiologic research indicates that human milk and breastfeeding of an infant, including one who is premature or sick, improves the infant's general health, growth, and development, and significantly reduces the risk of certain diseases and conditions. In some instances, a mother may be unable to breastfeed. Donor milk banks provide human milk to a baby when direct breastfeeding is not possible. H.B. 391 requires the Health and Human Services Commission to adopt minimum standards for the procuring, processing, distribution, and use of human milk by donor milk banks.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 32.024, Human Resources Code, by adding Subsection (x), to require the Health and Human Services or an agency operating part of the medical assistance program, as appropriate, to adopt minimum standards for the procuring, processing, distribution, or use of human milk by donor milk banks.

SECTION 2. Requires a state agency, if before implementing any provision of this Act it determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, to request the waiver or authorization and authorizes the agency to delay implementing that provision until the waiver or authorization is granted.

SECTION 3. Effective date: September 1, 2001.