

BILL ANALYSIS

Senate Research Center
81R8139 YDB-D

S.B. 1720
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, the Department of State Health Services (DSHS) is obligated to conduct newborn screening tests for the 29 disorders listed in the core uniform panel of newborn screening conditions recommended in the 2005 report by the American College of Medical Genetics (ACMG) or another report determined to be more appropriate by DSHS.

This legislation expands newborn screening programs to include testing for an additional 20 disorders identified as statistically significant by ACMG. This bill will also create a Newborn Screening Advisory Committee to develop recommendations and research concerning mandatory expanded newborn screening in Texas.

As proposed, S.B. 1720 relates to newborn screening and the creation of the Newborn Screening Advisory Committee.

[**Note:** While the statutory reference in this bill is to Texas Department of Health (TDH), the following amendments affect Department of State Health Services, as the successor agency to TDH.]

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. Authorizes this Act to be cited as "Greyson's Law" in memory of Greyson Morris.

SECTION 2. Amends Section 33.011(a-1), Health and Safety Code, to require the Texas Department of Health (TDH), except as provided by this subsection, rather than to the extent funding is available for the screening, to require newborn screening tests to screen for disorders listed in the core panel, rather than core uniform panel, and in the secondary targets of the uniform newborn screening panel, rather than conditions, recommended in the 2005 report by the American College of Medical Genetics entitled "Newborn Screening: Toward a Uniform Screening Panel and System" or another report determined by TDH to provide more stringent, rather than more appropriate, newborn screening guidelines to protect the health and welfare of this state's newborns. Authorizes TDH, with the advice of the newborn screening advisory committee, to require additional newborn screening tests under this subsection to screen for other disorders or conditions. Authorizes TDH to exclude from the newborn screening tests required under this subsection screenings for cystic fibrosis, galactose epimerase, and galactokinase.

SECTION 3. Amends Subchapter B, Chapter 33, Health and Safety Code, by adding Section 33.017, as follows:

Sec. 33.017. NEWBORN SCREENING ADVISORY COMMITTEE. (a) Requires TDH to establish the Newborn Screening Advisory Committee (advisory committee).

(b) Sets forth the composition of the advisory committee.

(c) Requires the advisory committee to advise TDH regarding strategic planning, policy, rules, and services related to newborn screening and additional newborn screening tests.

(d) Requires the advisory committee to adopt bylaws governing the committee's operations.

(e) Authorizes the advisory committee to appoint subcommittees.

(f) Requires the advisory committee to meet at least three times each year and at other times at the call of the commissioner of state health services.

(g) Provides that a member of the advisory committee is not entitled to compensation, but is entitled to reimbursement for travel or other expenses incurred by the member while conducting the business of the advisory committee, as provided by the General Appropriations Act.

(h) Provides that the advisory committee is not subject to Chapter 2001 (Administrative Procedure), Government Code.

SECTION 4. (a) Requires the commissioner of state health services, as soon as practicable after the effective date of this Act, to appoint members to the Newborn Screening Advisory Committee as required under Section 33.017, Health and Safety Code, as added by this Act.

(b) Provides that a physician or person attending the delivery of a newborn child, notwithstanding Section 33.011, Health and Safety Code, is not required to subject the child to the additional newborn screening tests required under Section 33.011(a-1), Health and Safety Code, as added by this Act, until January 1, 2010.

SECTION 5. Effective date: September 1, 2009.