

BILL ANALYSIS

Senate Research Center
76R5459 MCK-F

S.B. 602
By: Moncrief
Health Services
3/22/1999
As Filed

DIGEST

The last Sunset Commission report on the Texas Department of Health concluded, that it has not maximized input from stakeholders and other experts during the development and evaluation of rules. TDH did not involve pediatricians or the Interagency Council for Genetic Services during the development of a change to newborn screening rules adopted in February, 1998. S.B. 602 sets forth the guidelines for the membership of the Texas Board of Health (TDH) and the membership and powers of the Interagency Council for Genetic Services.

PURPOSE

As proposed, S.B. 602 sets forth the membership of the Texas Board of Health (TDH) and the membership and powers of the Interagency Council for Genetic Services.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Interagency Council for Genetic Services in SECTION 3 (Section 134.002(a), Chapter 134, Human Resource Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.005(a), Health and Safety Code, to provide that the Texas Board of Health (board) is composed of six members appointed by the governor with the advice and consent of the senate and one nonvoting member appointed by the Interagency Council for Genetic Services (council).

SECTION 2. Amends Sections 134.001(b),(c), and (d), Human Resources Code, to provide that the council consists of a representative of the Texas Department of Insurance, rather than Human Services, appointed by the commissioner of insurance, rather than human services. Requires the members of the council to annually elect one member to serve as a nonvoting member of the board as an additional duty attendant to the person's service on the council. Makes a conforming change.

SECTION 3. Amends Chapter 134, Human Resources Code, by adding Section 134.002, as follows:

Sec. 134.002. RULES. Authorizes the council to adopt rules to implement this chapter. Prohibits a state agency that is a member of the council from adopting a rule relating to genetics or genetic services unless the rule is initiated by the council.

SECTION 4. Amends Section 134.003(b), Human Resources Code, to make a conforming change.

SECTION 5. Amends Section 134.004, Human Resources Code, to require the council to propose rules to the state agencies named in Sections 134.001(b)(1), (2), and (3) that the council considers necessary to assist the council in fulfilling its duties under this section. Makes conforming changes.

SECTION 6. Section 134.005(b), Human Resources Code, to make a conforming change.

SECTION 7. Section 134.006, Human Resources Code, to make a conforming change.

SECTION 8. Effective date: September 1, 1999.

SECTION 9. Emergency clause.