

## **BILL ANALYSIS**

Senate Research Center  
76R10292 MCK-D

C.S.S.B. 602  
By: Moncrief  
Health Services  
3/24/1999  
Committee Report (Substituted)

### **DIGEST**

The last Sunset Advisory Commission report on the Texas Department of Health (TDH) 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. C.S.S.B. 602 sets forth the guidelines for the membership of the Texas Board of Health and the membership and powers of the Interagency Council for Genetic Services.

### **PURPOSE**

As proposed, C.S.S.B. 602 sets forth 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 Sections 134.001(b) and (c), Human Resources Code, to provide that the Interagency Council for Genetic Services (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. Makes a conforming change.

SECTION 2. 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. Requires a state agency that is a member of the council to work in coordination with the council when initiating, considering, or proposing a rule relating to human genetics or human genetic services.

SECTION 3. Amends Section 134.003(b), Human Resources Code, to make a conforming change.

SECTION 4. Amends Section 134.004, Human Resources Code, to set forth requirements for the council, including surveying current resources for human genetic services, and working in coordination with the state agencies named in Sections 134.001(b)(1), (2), and (3) when the agency initiates, considers, or proposes a rule relating to human genetics or human genetic services. Makes conforming changes.

SECTION 5. Section 134.005(b), Human Resources Code, to make a conforming change.

SECTION 6. Section 134.006, Human Resources Code, to make a conforming change.

SECTION 7. Effective date: September 1, 1999.

SECTION 8. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Deletes proposed changes to Section 11.005(a), Health and Safety Code, and redesignates SECTION 2 as SECTION 1. Amends Section 134.001, by deleting Subsection (d), regarding election annual elections by members of the council.

#### SECTION 2.

Amends Section 134.002, Human Resources Code, to require a state agency that is a member of the council to work in coordination with the council when initiating, considering, or proposing a rule relating to human genetics or human genetic services. Deletes a provision prohibiting 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. Redesignates SECTION 3 as SECTION 2.

#### SECTION 3.

Redesignates SECTION 4 as SECTION 3.

#### SECTION 4.

Amends Section 134.004, Human Resources Code, to set forth requirements for the council, including surveying current resources for human genetic services, and working in coordination with the state agencies named in Sections 134.001(b)(1), (2), and (3) when the agency initiates, considers, or proposes a rule relating to human genetics or human genetic services. Deletes text requiring 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. Redesignated from SECTION 5.

#### SECTION 5-8.

Redesignated from SECTIONS 6-9.