

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1363
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Health & Human Services
5/1/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Diabetes is a chronic disease that has reached epidemic proportions nationwide. In San Antonio, the problem is especially high among the Hispanic population and is growing. Preventing more cases of diabetes would greatly improve the overall health of the community and reduce medical costs that affect everyone.

C.S.H.B. 1363 amends current law relating to the diabetes mellitus registry pilot program.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the executive commissioner of the Health and Human Services Commission is modified in SECTION 2 (Section 2, Chapter 706 (H.B. 2132), Acts of the 80th Legislature, Regular Session, 2007) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1, Chapter 706 (H.B. 2132), Acts of the 80th Legislature, Regular Session, 2007, by amending Subsections (c)-(e) and adding Subsections (d-1) and (g), as follows:

(c) Requires the Department of State Health Services (DSHS) and the public health district to create an electronic registry to track the glycosylated hemoglobin level and the diagnosis codes of each person who has a laboratory test to determine that level performed at a clinical laboratory in the district.

(d) Requires a physician practicing in the participating public health district, except as provided by Subsection (d-1), who, on or after November 1, 2009, orders a glycosylated hemoglobin test for a patient to submit to the clinical laboratory the diagnosis codes of a patient along with the patient's sample. Requires a clinical laboratory located in the participating public health district to submit to the district and DSHS for a patient whose diagnosis codes were submitted with the patient's sample the results of the patient's glycosylated hemoglobin test along with the diagnostic codes provided by the physician for that patient, rather than the results of each glycosylated hemoglobin test that the laboratory performs.

(d-1) Requires a physician who orders a glycosylated hemoglobin test for a patient to provide the patient with a form developed by DSHS that allows the patient to opt out of having the patient's information included in the registry. Provides that if the patient opts out by signing the form, the physician is required to keep the form in the patient's medical records, and is prohibited from submitting to the clinical laboratory the patient's diagnosis codes along with the patient's sample.

(e) Requires DSHS and the participating public health district to compile results submitted under Subsection (d) of this section in order to track certain information, including the level of diabetic control for the patients with diabetes mellitus in each demographic group, rather than the level of control the patients in each demographic group exert over the diabetes mellitus; and the health care costs associated with diabetes mellitus and glycosylated hemoglobin testing.

(g) Requires DSHS, not later than October 1, 2009, to develop and make available on its Internet website the form required under Subsection (d-1).

SECTION 2. Amends Section 2, Chapter 706 (H.B. 2132), Acts of the 80th Legislature, Regular Session, 2007, to require the executive commissioner of the Health and Human Services Commission to adopt rules to implement Section 1 of this Act, including rules to govern the format and method of collecting glycosylated hemoglobin data and patient diagnosis codes.

SECTION 3. Amends Section 4, Chapter 706 (H.B. 2132), Acts of the 80th Legislature, Regular Session, 2007, to require DSHS, not later than December 1, 2010, rather than 2009, to submit a report to the governor, lieutenant governor, speaker of the house of representatives, and appropriate standing committees of the legislature regarding the diabetes mellitus registry pilot program that includes certain information.

SECTION 4. Amends Section 5, Chapter 706 (H.B. 2132), Acts of the 80th Legislature, Regular Session, 2007, to provide that this Act expires September 1, 2011, rather than 2010.

SECTION 5. Effective date: September 1, 2009.