

BILL ANALYSIS

Senate Research Center
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H.B. 1795
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Health & Human Services
5/20/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This legislation mandates that the Department of State Health Services (DSHS) expand its current list of diseases screened to include 20 of the diseases on the secondary list of recommended diseases from the American College of Medicine and Genetics (ACMG). These diseases are frequently undetected in newborns, and left untreated they can have devastating effects such as severe mental retardation, physical disability, and death. Identifying these conditions in the early stages will allow doctors the opportunity to treat the symptoms and the data collected will allow the state to study these diseases and potentially identify new treatments or cures. Many of the symptoms are treatable by dietary management.

The bill also creates a Newborn Screening Advisory Panel to assist DSHS in taking a more proactive approach to newborn screening in Texas. The panel, comprised of experts in the field, persons involved in the delivery of newborn screening services, and family members of children affected by these diseases, will advise DSHS on issues regarding newborn screening. Their recommendations and input will allow DSHS to more effectively evaluate their current services and provide a higher level of care for our states newborns.

H.B. 1795 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 and to the extent funding is available for the screening, 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 the core uniform panel of newborn screening conditions, and in the secondary targets of the uniform newborn screening panel 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 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) Provides that the advisory committee consists of members appointed by the commissioner of state health services. Sets forth the required 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 2110 (State Agency Advisory Committees), 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 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 amended by this Act, until January 1, 2010.

SECTION 5. Effective date: September 1, 2009.