

1-1 By: West S.B. No. 1050  
1-2 (In the Senate - Filed March 1, 2011; March 16, 2011, read  
1-3 first time and referred to Committee on Health and Human Services;  
1-4 April 7, 2011, reported favorably by the following vote: Yeas 8,  
1-5 Nays 0; April 7, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the collection of certain information on a birth  
1-9 certificate.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 192.002, Health and Safety Code, is  
1-12 amended by amending Subsection (b) and adding Subsection (b-1) to  
1-13 read as follows:

1-14 (b) The section of the birth certificate entitled "For  
1-15 Medical and Health Use Only" is not part of the legal birth  
1-16 certificate. If the birth is the result of a labor induction or a  
1-17 cesarean section, the following information must be collected under  
1-18 that section of the birth certificate:

1-19 (1) whether the labor induction or cesarean section  
1-20 was performed before the 40th week of gestation; and

1-21 (2) whether the labor induction or cesarean section  
1-22 was medically indicated.

1-23 (b-1) Information held by the department under the ~~[that]~~  
1-24 section of the certificate described by Subsection (b) is  
1-25 confidential. That information may not be released or made public  
1-26 on subpoena or otherwise, except that release may be made for  
1-27 statistical purposes only so that no person, patient, or facility  
1-28 is identified, or to medical personnel of a health care entity, as  
1-29 that term is defined in Subtitle B, Title 3, Occupations Code, or  
1-30 appropriate state or federal agencies for statistical research.  
1-31 The executive commissioner of the Health and Human Services  
1-32 Commission [board] may adopt rules to implement Subsection (b) and  
1-33 this subsection.

1-34 SECTION 2. Not later than December 1, 2011, the executive  
1-35 commissioner of the Health and Human Services Commission shall  
1-36 adopt any rules and the Department of State Health Services shall  
1-37 prescribe the form necessary to implement Section 192.002, Health  
1-38 and Safety Code, as amended by this Act.

1-39 SECTION 3. Section 192.002, Health and Safety Code, as  
1-40 amended by this Act, applies to the collection of information  
1-41 regarding a birth that occurs on or after January 1, 2012. The  
1-42 collection of information regarding a birth that occurred before  
1-43 that date is governed by the law in effect at the time of the birth,  
1-44 and the former law is continued in effect for that purpose.

1-45 SECTION 4. This Act takes effect September 1, 2011.

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