

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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