

1-1 By: Deuell S.B. No. 504
 1-2 (In the Senate - Filed February 12, 2013; February 20, 2013,
 1-3 read first time and referred to Committee on Health and Human
 1-4 Services; March 18, 2013, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 5, Nays 1,
 1-6 1 present not voting; March 18, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Nelson	X			
1-9 Deuell	X			
1-10 Huffman	X			
1-11 Nichols	X			
1-12 Schwertner	X			
1-13 Taylor			X	
1-14 Uresti				X
1-15 West			X	
1-16 Zaffirini		X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 504 By: Deuell

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the requirement that certain schoolchildren be screened
 1-22 for abnormal spinal curvature.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subsections (b) and (c), Section 37.001, Health
 1-25 and Safety Code, are amended to read as follows:

1-26 (b) The board, in cooperation with the Texas Education
 1-27 Agency, shall adopt rules requiring each public or private school
 1-28 to choose either to participate in the ~~[for the mandatory]~~ spinal
 1-29 screening program for ~~[of]~~ children in grades 6 and 9 attending the
 1-30 public or private school or to provide information developed by the
 1-31 department on abnormal spinal curvature to the parents, managing
 1-32 conservators, or guardians of children in grades 6 through 9
 1-33 attending the public or private school ~~[schools]~~. The department
 1-34 shall coordinate the spinal screening program with any other
 1-35 screening program conducted by the department on those children.

1-36 (c) The board shall adopt substantive and procedural rules
 1-37 necessary to administer screening activities and for the
 1-38 development and provision of information on abnormal spinal
 1-39 curvature.

1-40 SECTION 2. Section 37.002, Health and Safety Code, is
 1-41 amended to read as follows:

1-42 Sec. 37.002. ~~[COMPLIANCE WITH]~~ SCREENING REQUIREMENTS.

1-43 (a) If a public or private school requires an ~~[Each]~~ individual
 1-44 ~~[required by board rule]~~ to be screened, the individual shall
 1-45 undergo approved screening for abnormal spinal curvature. The
 1-46 individual's parent, managing conservator, or guardian may
 1-47 substitute professional examinations for the screening.

1-48 (b) An individual is exempt from screening if screening
 1-49 conflicts with the tenets and practices of a recognized church or
 1-50 religious denomination of which the individual is an adherent or a
 1-51 member. To qualify for the exemption, the individual's parent,
 1-52 managing conservator, or guardian must submit to the chief
 1-53 administrator on or before the day of the screening procedure an
 1-54 affidavit stating the objections to screening. The chief
 1-55 administrator must make the information on abnormal spinal
 1-56 curvature developed under Section 37.001 available to the exempted
 1-57 individual's parent, managing conservator, or guardian.

1-58 (c) If screening is required, the ~~[The]~~ chief administrator
 1-59 of each school shall ensure that each individual admitted to the
 1-60 school complies with the screening requirements set by the board or

2-1 submits an affidavit of exemption.

2-2 SECTION 3. Not later than March 1, 2014, the Department of
2-3 State Health Services shall develop the information required by
2-4 Subsection (b), Section 37.001, Health and Safety Code, as amended
2-5 by this Act.

2-6 SECTION 4. This Act applies beginning with the 2014-2015
2-7 school year.

2-8 SECTION 5. This Act takes effect immediately if it receives
2-9 a vote of two-thirds of all the members elected to each house, as
2-10 provided by Section 39, Article III, Texas Constitution. If this
2-11 Act does not receive the vote necessary for immediate effect, this
2-12 Act takes effect September 1, 2013.

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