

HEALTH & SAFETY CODE
CHAPTER 86. BREAST CANCER
SUBCHAPTER A. INFORMATION ON ALTERNATIVE TREATMENTS FOR BREAST
CANCER

Sec. 86.001. PURPOSE. It is the intent of the legislature that breast cancer patients have access to a standardized written summary, as provided under this subchapter, of medically efficacious and viable alternative treatments for breast cancer, which may include surgical, radiological, or chemotherapeutic treatment or combinations of those treatments.

Added by Acts 1991, 72nd Leg., ch. 14, Sec. 37, eff. Sept. 1, 1991.

Sec. 86.002. STANDARDIZED WRITTEN SUMMARY. (a) The department shall publish a standardized written summary, in language a patient can understand, of the advantages, disadvantages, risks, and descriptions of all medically efficacious and viable alternatives for the treatment of breast cancer.

(b) The department shall update the summary annually, if necessary, to reflect changes in the treatment of breast cancer.

(c) The advisory council shall develop the summary.

Added by Acts 1991, 72nd Leg., ch. 14, Sec. 37, eff. Sept. 1, 1991.

Sec. 86.003. ADVISORY COUNCIL. (a) The advisory council is appointed by the commissioner.

(b) The advisory council shall include at least one of each of the following:

(1) a representative of a statewide nonprofit organization that is an advocate for breast cancer patients;

(2) a representative of a statewide professional organization representing the full spectrum of physicians;

(3) a physician associated with an institution of higher education who specializes in the treatment of breast cancer; and

(4) a representative of the Texas Cancer Council.

Added by Acts 1991, 72nd Leg., ch. 14, Sec. 37, eff. Sept. 1, 1991.

Sec. 86.004. DISTRIBUTION OF SUMMARY. (a) Not later than the 90th day after the date the department receives the standardized written summary from the advisory council, the department shall print and make available to all physicians in the state sufficient copies of the summary.

(b) A physician may distribute the summary to a patient when the physician determines in the physician's professional judgment that it is in the best interest of the patient to receive a copy of the summary.

Added by Acts 1991, 72nd Leg., ch. 14, Sec. 37, eff. Sept. 1, 1991.

Sec. 86.005. FUNDING. (a) The department may not expend general revenue funds for the publication or distribution of the standardized written summary.

(b) The department may provide technical assistance to the advisory council to aid in the development of the summary.

(c) The department may accept grants, donations of money or materials, and other forms of assistance from private and public sources to be used solely for the development and distribution of the summary.

Added by Acts 1991, 72nd Leg., ch. 14, Sec. 37, eff. Sept. 1, 1991.

SUBCHAPTER B. BREAST CANCER SCREENING

Sec. 86.011. BREAST CANCER SCREENING. (a) The Office of Rural Community Affairs may provide for breast cancer screening in counties with a population of 50,000 or less.

(b) The Office of Rural Community Affairs may provide the breast cancer screening through contracts with public or private entities to provide mobile units and on-site screening services.

(c) The Office of Rural Community Affairs shall coordinate the breast cancer screening with programs administered by the Texas Cancer Council.

Added by Acts 1991, 72nd Leg., ch. 14, Sec. 37, eff. Sept. 1, 1991.

Amended by Acts 2001, 77th Leg., ch. 1424, Sec. 9, eff. Sept. 1, 2001.

Sec. 86.012. ADVISORY COMMITTEE. (a) The board may appoint an advisory committee to advise the Office of Rural Health Care on the breast cancer screening, including targeting those areas of the state in which the screening is most needed.

(b) The advisory committee may be composed of:

(1) physicians who practice in rural areas;

(2) administrators of hospitals in rural areas; and

(3) representatives of organizations formed to

promote breast cancer awareness.
Added by Acts 1991, 72nd Leg., ch. 14, Sec. 37, eff. Sept. 1, 1991.