

HEALTH & SAFETY CODE

CHAPTER 95. ACANTHOSIS NIGRICANS SCREENING

Sec. 95.001. DEFINITIONS. In this chapter:

(1) "Acanthosis nigricans" means a light brown or black velvety, rough, or thickened area on the surface of the skin that may signal high insulin levels indicative of insulin resistance.

(2) "Executive council" means the executive council advising the Texas-Mexico Border Health Coordination Office of The University of Texas-Pan American.

(3) "Office" means the Texas-Mexico Border Health Coordination Office of The University of Texas-Pan American.

(4) "Professional examination" means an evaluation performed by an appropriately licensed professional.

(5) "School" means an educational institution that admits children who are five years of age or older but younger than 21 years of age.

(6) "Screening test" means a rapid analytical procedure used to recommend appropriate measures or to determine the need for further evaluation. The term does not include the removal or partial removal of clothing.

Added by Acts 2001, 77th Leg., ch. 1465, Sec. 1, eff. Sept. 1, 2001.

Sec. 95.002. ACANTHOSIS NIGRICANS EDUCATION AND SCREENING PROJECT. (a) The office shall administer an acanthosis nigricans screening program in accordance with this chapter.

(b) The executive council by rule shall coordinate screening of individuals who attend public or private schools located in Texas Education Agency Regional Education Service Centers 1, 2, 3, 4, 10, 11, 13, 15, 18, 19, and 20.

(c) The rules must include procedures necessary to administer screening activities.

(d) The office shall require acanthosis nigricans screening to be performed at the same time hearing and vision screening is performed under Chapter 36 or spinal screening is performed under Chapter 37.

(e) The office may coordinate the acanthosis nigricans screening activities of school districts, private schools, state agencies, volunteer organizations, and other entities so that the efforts of each entity are complementary and not fragmented and duplicative. The office may provide technical assistance to those entities in developing screening programs and may provide educational and other material to assist local screening activities.

(f) The office shall monitor the quality of screening activities provided under this chapter.

Added by Acts 2001, 77th Leg., ch. 1465, Sec. 1, eff. Sept. 1, 2001.

Amended by Acts 2003, 78th Leg., ch. 1125, Sec. 1, eff. Sept. 1, 2003.

Sec. 95.003. COMPLIANCE WITH SCREENING REQUIREMENTS. (a) Each individual required by rules adopted under this chapter to be screened shall undergo approved screening for acanthosis nigricans. The individual shall comply with the requirements as soon as possible after the individual's admission to a school and as required by rule. The individual or, if the individual is a minor, the minor's parent, managing conservator, or guardian may substitute a professional examination for the screening.

(b) An individual is exempt from screening if screening conflicts with the tenets and practices of a recognized church or religious denomination of which the individual is an adherent or a member. To qualify for the exemption, the individual or, if the individual is a minor, the individual's parent, managing conservator, or guardian must submit to the chief administrator of the school on or before the day of the screening procedure an affidavit stating the objections to the screening.

(c) The chief administrator of each school shall ensure that each individual admitted to the school complies with the screening requirements set by the executive council or submits an affidavit of exemption.

Added by Acts 2001, 77th Leg., ch. 1465, Sec. 1, eff. Sept. 1, 2001.

Sec. 95.004. RECORDS; REPORTS. (a) The chief administrator of each school shall maintain, on a form prescribed by the executive council, screening records for each individual in attendance, and the records are open for inspection by the office or the local health department.

(b) The office may, directly or through local health

departments, enter a school and inspect records maintained by the school relating to screening for acanthosis nigricans.

(c) An individual's screening records may be transferred among schools without the consent of the individual or, if the individual is a minor, the minor's parent, managing conservator, or guardian.

(d) The person performing the screening shall send a report indicating that an individual may have acanthosis nigricans to the individual or, if the individual is a minor, the minor's parent, managing conservator, or guardian. The report must include:

(1) an explanation of acanthosis nigricans and related conditions;

(2) a statement concerning an individual's or family's need for further evaluation of conditions related to acanthosis nigricans; and

(3) instructions to help the individual or family receive evaluation and intervention by the school district.

(e) Each school shall submit to the office an annual report on the screening status of the individuals in attendance during the reporting year and shall include in the report any other information required by the office. The report must be on a form prescribed by the executive council and must be submitted according to the executive council's rules.

(f) Not later than January 15 of each odd-numbered year, the office shall submit to the governor and the legislature a report concerning the effectiveness of the acanthosis nigricans screening program established by this chapter.

Added by Acts 2001, 77th Leg., ch. 1465, Sec. 1, eff. Sept. 1, 2001.