

CHAPTER 77

H.B. No. 4

An Act relating to the operation and administration of the state cancer registry.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 7, Texas Cancer Control Act (Article 4477-40, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 7. AVAILABILITY OF RECORDS. (a) On the request of the board or its authorized representative, each hospital *with less than 100 beds*, clinical laboratory, and cancer treatment center within the state shall:

(1) produce and make available to the board or its authorized representative, on a form prescribed by the department, the data that the board determines is necessary and appropriate from each medical record in its custody or under its control of a case of cancer or of those precancerous or tumorous diseases specified by the board; or

(2) make available each medical record to the board or its authorized representative on presentation of proper identification, during normal working hours, on the premises of the respective hospital, clinical laboratory, or cancer treatment center, for the purpose of recording specific data about a patient's cancer, precancerous disease, or tumorous disease, on a form prescribed by the department.

(b) *Each hospital within the state with at least 100 beds shall furnish to the board or its authorized representative, on a form prescribed by the department, the data that the board determines is necessary and appropriate from each medical record in its custody or under its control of a case of cancer or of those precancerous or tumorous diseases specified by the board.*

(c) The data required to be produced or furnished shall include, but is not limited to:

- (1) diagnosis;
- (2) stage of disease;
- (3) medical history including occupational information when available;
- (4) laboratory data;
- (5) tissue diagnosis;
- (6) method of treatment; and
- (7) family history of cancer [annual lifetime follow up of each patient].

(d) The department shall determine a reasonable fee to compensate the hospital, clinical laboratory, or cancer treatment center for the cost of collection, production, or furnishing of information to the department.

(e) The department shall be responsible for an annual follow-up of each patient for a period of five years.

SECTION 2. This Act takes effect September 1, 1985. At that time, each hospital within the state with at least 100 beds shall furnish information to the department or its authorized representative relating to all cases of cancer and the specified precancerous and tumorous diseases diagnosed on or after January 1, 1985, and relating to all ongoing cases of the diseases diagnosed before January 1, 1985.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on March 26, 1985, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 4 on April 22, 1985, by a non-record vote; passed by the Senate, with amendments, on April 18, 1985, by the following vote: Yeas 31, Nays 0.

Approved: May 7, 1985

Effective: September 1, 1985