

CHAPTER 316

S.B. No. 401

An Act relating to prophylaxis for newborns; amending Section 3.02, Texas Venereal Disease Act (Article 4445d, Vernon's Texas Civil Statutes).

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

SECTION 1. Section 3.02, Texas Venereal Disease Act (Article 4445d, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 3.02. (a) Every physician, nurse, midwife, or other person in attendance at childbirth shall use or cause to be used *prophylaxis* ~~[in the child's eyes a one percent solution of silver nitrate or other prophylactic solution]~~ approved by the board ~~[within two hours of birth]~~ in order to prevent ophthalmia neonatorum ~~[in the newborn]~~.

"(b) *Subject to the availability of funds, the* ~~[The]~~ department shall furnish *prophylaxis approved by the board* ~~[silver nitrate solution]~~ free of charge to health-care providers if the newborn's financially responsible adult is unable to pay.

"(c) No charge shall be made by the health-care provider for *prophylaxis* ~~[silver nitrate solution]~~ which is received free of charge from the department."

SECTION 2. 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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on March 26, 1985, by the following vote: Yeas 31, Nays 0; passed the House on May 17, 1985, by the following vote: Yeas 134, Nays 0, one present not voting.

Approved: June 8, 1985

Effective: Immediately