

By: Leach

H.B. No. 2038

A BILL TO BE ENTITLED

AN ACT

relating to the consent required for the administration of prophylaxis to prevent ophthalmia neonatorum.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 81.091, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Except as provided by Subsection (a-1), a [A] physician, nurse, midwife, or other person in attendance at childbirth shall use or cause to be used prophylaxis approved by the executive commissioner to prevent ophthalmia neonatorum.

(a-1) A physician, nurse, midwife, or other person in attendance at childbirth is not required to use or cause to be used the prophylaxis on an infant whose parent, managing conservator, or guardian does not consent to the administration of the prophylaxis.

SECTION 2. This Act takes effect September 1, 2017.