

## **BILL ANALYSIS**

Senate Research Center  
76R4865 DLF-F

S.B. 1238  
By: Nelson  
Health Services  
3/28/1999  
As Filed

### **DIGEST**

Currently, the Texas Department of Health (TDH) has regulatory authority for the Safe Drinking Water Act, a laboratory assessment program. Other states have comprehensive environmental assessment programs that require formal state accreditation for all laboratories. The lack of uniform standards puts laboratories in Texas at a competitive disadvantage for federal fund contracts. S.B. 1238 would authorize TDH to develop and implement a voluntary accreditation program for environmental laboratories consistent with national standards.

### **PURPOSE**

As proposed, S.B. 1238 authorizes the development and implementation of voluntary accreditation program for environmental laboratories.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Title 5E, Health and Safety Code, by adding Chapter 421, as follows:

#### CHAPTER 421. ACCREDITATION OF ENVIRONMENTAL TESTING LABORATORIES

Sec. 421.001. DEFINITIONS. Defines “board,” “department,” and “environmental testing laboratory.”

Sec. 421.002. ADMINISTRATION BY DEPARTMENT. Requires the Texas Department of Health (TDH) to administer the environmental testing laboratory (ETL) accreditation program established by this chapter.

Sec. 421.003. APPLICATION; FEE. Requires ETL to submit an application to TDH on a form prescribed by TDH, accompanied by the accreditation fee, to be accredited under this chapter. Requires the application to contain the information that TDH requires. Requires the Texas Board of Health (board) to establish an accreditation fee in an amount sufficient to defray the cost of administering this chapter.

Sec. 421.004. ISSUANCE OF ACCREDITATION; RECIPROCITY. Authorizes TDH to accredit an ETL that complies with the requirement established under this chapter. Authorizes the board, by rule, to provide for the accreditation of an ETL that is accredited or licensed by another state.

Sec. 421.005. RULES; MINIMUM STANDARDS. Authorizes the board to adopt rules to implement this chapter and minimum standards for accreditation of an ETL.

Sec. 421.006. DISCIPLINE. Authorizes TDH to suspend or revoke the accreditation of an ETL that does not comply with the minimum standards established under this chapter, after notice and an opportunity for hearing.

SECTION 2. Amends Title 5E, Health and Safety Code, as follows:

SUBTITLE E. New heading: TEXAS DEPARTMENT OF HEALTH PROGRAMS

SECTION 3. Emergency clause.

Effective date: upon passage.