

## **BILL ANALYSIS**

Senate Research Center  
80R2500 JMM-D

S.B. 450  
By: Uresti  
Health & Human Services  
3/21/2007  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Associated Press reported that government-funded researchers have been testing AIDS drugs on hundreds of foster children for a little over two decades. There is no current law protecting foster children from being entered into clinical trials.

As proposed, S.B. 450 prohibits a person from enrolling or consenting to the participation of a foster child in a clinical trial. The bill excepts from the prohibition a retrospective study based solely on medical records or certain data.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 266.004, Family Code, as added by Chapter 268, Act of the 79th Legislature, Regular Session, 2005, by adding Subsection (k), as follows:

(k) Prohibits a person from being authorized to enroll a foster child or consent to the participation of a foster child in any clinical trial, drug study, or active medical or clinical research, notwithstanding Subsection (b). Provides that this subsection does not apply to a retrospective study that is based only on medical records, claims data, or outcome data.

SECTION 2. Effective date: upon passage or September 1, 2007.