May 25, 2023

Honorable Representative Bell, Chairman Creighton, and Conferees,

HB 890 seeks to affirm and support parent rights in the school setting. However, the undersigned organizations are deeply concerned that a provision in this legislation will actively harm the collection of valid public health data, and compromise evidence-based policy, programs, and interventions.

Section 5 of the legislation would require parent consent for “well-being questionnaires or health screening forms.” While this may sound unalarming on its face, the public health community has serious concerns that this will jeopardize the crucial information we utilize from a variety of school-based, state-approved surveys, including the Youth Risk Behavior Survey, Texas Youth Tobacco Survey, and other public health surveys distributed by the Department of State Health Services (DSHS).

These surveys do not collect individual personal data, but instead develop aggregated, de-identified data used to inform public health nonprofits and entities, research organizations, and agencies, and to create sound programming, provider, and public policy decisions. This is critical data used to develop programs around suicide prevention, tobacco abuse prevention, teen pregnancy, and other important work. For example, these types of surveys provide the state with data on vaping prevalence among teens, emerging mental health concerns, and teen pregnancy risks.

We know that the kids most at risk are usually the ones whose parents are disengaged or not present and are most likely to not return forms. Requiring active parent consent systemically excludes at-risk youth from surveys, including low-income youth, youth of color, and children in households where English is not the primary language spoken1. By requiring active consent, we will lose information regarding the very children who are most at risk. As a result, the data coming from these important public health surveys will be misleading and skewed. This faulty data would then be used to make policy and provider decisions on the ground, harming prevention efforts.

Research shows that most parents who fail to return consent forms for research participation do not actually oppose their child participating in the study, but rather fail to overcome barriers such as the time or focus it takes to return the paperwork.

We undersigned organizations respectfully urge you to strike the text on Page 5, lines 31-42. Alternatively, we support an amendment requiring parent notification and the opportunity to opt children out of surveys, which would protect parent transparency while not harming access to crucial public health data.

---

Sincerely,

Healthy Futures of Texas
Texas Pediatric Society
Texas Parent Teacher Association
American Cancer Society Cancer Action Network (ACS CAN)
American Lung Association
Texas Public Health Coalition
Every Texan

The Cooper Institute
National Association of Social Workers – Texas Chapter
American Foundation for Suicide Prevention – North Texas Chapter
American Foundation for Suicide Prevention – Central Texas Chapter
American Foundation for Suicide Prevention – West Texas Chapter
American Foundation for Suicide Prevention – South Texas Chapter
American Foundation for Suicide Prevention – Southeast Texas Chapter

Texans Care for Children
Mental Health America of Greater Houston

Girls Empowerment Network

NAMI Texas