

By: Howard, Rose, Guerra

H.B. No. 2333

Substitute the following for H.B. No. 2333:

By: Klick

C.S.H.B. No. 2333

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the establishment of the home nursing visitation for
3 newborn caregivers competitive grant program.

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

5 SECTION 1. Chapter 32, Health and Safety Code, is amended by
6 adding Subchapter G to read as follows:

7 SUBCHAPTER G. HOME NURSING VISITATION FOR NEWBORN CAREGIVERS GRANT
8 PROGRAM

9 Sec. 32.201. DEFINITIONS. In this subchapter:

10 (1) "Commissioner" means the commissioner of the
11 Department of Family and Protective Services.

12 (2) "Department" means the Department of Family and
13 Protective Services.

14 (3) "Program" means the home nursing visitation for
15 newborn caregivers grant program established under this
16 subchapter.

17 (4) "Service provider" means an entity that offers
18 free of charge home nursing visits for newborn caregivers.

19 Sec. 32.202. ESTABLISHMENT OF PROGRAM; RULES. (a) The
20 department shall establish and administer within the department's
21 prevention and early intervention services division a competitive
22 grant program through which the department awards grants to
23 eligible service providers to provide or expand home nursing
24 visitation services for newborn caregivers.

1 (b) The department shall award grants under the program to
2 eligible service providers in a manner that ensures the grant
3 recipients:

4 (1) operate in multiple communities geographically
5 distributed throughout this state;

6 (2) have the capacity to offer home nursing visitation
7 services to all newborn caregivers within a defined service area,
8 including a birthing hospital service area, a municipality, or a
9 county; and

10 (3) commit to providing ongoing services to ultimately
11 serve the communities' entire newborn population and provide the
12 maximum possible health impact on that population.

13 (c) The commissioner shall adopt rules as necessary to
14 implement this subchapter.

15 Sec. 32.203. SERVICE REQUIREMENTS. Home nursing visitation
16 services funded by a grant awarded under this subchapter must:

17 (1) be offered free of charge to all newborn
18 caregivers, including foster and adoptive families, within the
19 grant recipient's defined service area;

20 (2) be voluntary and may not impose negative
21 consequences on a newborn caregiver that chooses not to
22 participate;

23 (3) be provided by registered nurses in the newborn
24 caregiver's home whenever possible, using telehealth services when
25 necessary and feasible;

26 (4) include an evidence-based assessment of the
27 physical, social, and emotional factors affecting the health and

1 safety of the newborn caregiver's family;

2 (5) include at least one registered nurse visit to the
3 newborn caregiver not later than six weeks postpartum or six weeks
4 after the newborn is discharged from a newborn intensive care unit,
5 with the opportunity to receive not more than three registered
6 nurse visits as determined by the nurse's professional judgment;

7 (6) provide to a newborn caregiver information and
8 referrals tailored to the caregiver's needs, as identified by a
9 home nursing visit, and support the caregiver in navigating needed
10 services;

11 (7) include a follow-up call to the newborn caregiver
12 not later than three months after the last home nursing visit to
13 assess success in referrals and family satisfaction and to close
14 the case;

15 (8) strictly adhere to an evidence-based service
16 delivery model selected by the department in accordance with
17 criteria set by the United States Department of Health and Human
18 Services for an early childhood home visiting service delivery
19 model, including any clinical, programmatic, and data collection
20 requirements under the model;

21 (9) strive to improve outcomes in one or more of the
22 following categories:

23 (A) reduction of child abuse and neglect;

24 (B) child health;

25 (C) maternal health;

26 (D) reduction of family violence;

27 (E) child development;

1 (F) family economic self-sufficiency;

2 (G) completion of maternal follow-up and
3 well-child visits with health care providers;

4 (H) appropriate use of a health care facility's
5 emergency department; and

6 (I) increased positive parenting practices;

7 (10) require the home nursing visits to:

8 (A) be offered in partnership with the newborn
9 caregiver's attending obstetrician or gynecologist, maternal
10 health provider, or birthing hospital, if applicable; and

11 (B) begin not later than six weeks postpartum or
12 six weeks after a newborn is discharged from a newborn intensive
13 care unit; and

14 (11) continue for a period of at least two years.

15 Sec. 32.204. APPLICATION REQUIREMENTS. (a) A public or
16 private entity, including a county, municipality, or other
17 political subdivision of this state, may apply for a grant under
18 this subchapter.

19 (b) To apply for a grant, an applicant must submit a written
20 application to the department on a form prescribed by commissioner
21 rule in accordance with this section.

22 (c) The application form must:

23 (1) require the applicant to provide:

24 (A) information on the number of births by
25 hospital located in the defined service area in which the applicant
26 proposes to operate; and

27 (B) a description of existing services available

1 to newborn caregivers in the community;

2 (2) describe the processes the department uses to
3 continually monitor and evaluate grant recipients under Section
4 32.208, including the grant recipient's obligations to:

5 (A) collect and provide information requested by
6 the department; and

7 (B) adhere to the evidence-based model selected
8 by the department;

9 (3) require the applicant to outline the applicant's
10 plan to collaborate and strengthen relationships with health care
11 and social service providers to ensure the applicant's ability to
12 effectively connect newborn caregivers and the caregivers'
13 families to other community services when needed; and

14 (4) describe the applicant's plan for enrolling
15 newborn caregivers, including the applicant's partnerships with
16 birthing hospitals and local maternal health care and pediatric
17 health care providers.

18 Sec. 32.205. GRANT AWARD REQUIREMENTS. In determining
19 whether to award a grant to an applicant under this subchapter, the
20 department shall consider the applicant's demonstrated capacity to
21 provide home nursing visitation services to newborn caregivers in
22 the defined service area in which the applicant proposes to provide
23 services, which may be determined by considering:

24 (1) the applicant's ability to:

25 (A) participate in continued monitoring and
26 performance evaluations under Section 32.208, including the
27 applicant's ability to collect and provide information requested by

1 the department;

2 (B) comply with program standards; and

3 (C) develop broad-based community support and
4 leverage philanthropic support to implement or expand home nursing
5 visitation services for newborn caregivers; and

6 (2) the applicant's history of developing and
7 sustaining innovative, quality home nursing visitation services
8 for newborn caregivers that meet the needs of families and
9 communities.

10 Sec. 32.206. WRITTEN AGREEMENT WITH GRANT RECIPIENT
11 REQUIRED. Before awarding a grant under this subchapter, the
12 department shall enter into a written agreement with each applicant
13 to be awarded a grant that requires the grant recipient to repay
14 this state, in accordance with terms specified in the agreement,
15 if:

16 (1) the department determines the grant recipient has
17 not complied with the minimum standards and reporting requirements
18 prescribed by this subchapter or rules adopted under this
19 subchapter or with any other applicable rules or standards
20 prescribed by the commissioner or the department; or

21 (2) the grant recipient fails to use the grant money
22 for the purposes for which the grant was awarded, in accordance with
23 Section 32.207.

24 Sec. 32.207. USE OF GRANT MONEY. Grant money awarded under
25 this subchapter may be used only to cover costs related to the grant
26 recipient administering, implementing, or expanding home nursing
27 visitation services for newborn caregivers, including costs

1 related to:

2 (1) administering the home nursing visitation
3 services;

4 (2) training and managing registered nurses and other
5 staff who participate in providing the home nursing visitation
6 services;

7 (3) paying the salaries and expenses of registered
8 nurses and other required staff members who are essential to
9 delivering the home nursing visitation services;

10 (4) paying for facilities and equipment for providing
11 the home nursing visitation services; and

12 (5) paying for technical assistance to ensure a grant
13 recipient adheres to the evidence-based model selected by the
14 department.

15 Sec. 32.208. GRANT RECIPIENT MONITORING AND EVALUATION;
16 ANNUAL REPORT. (a) The department shall:

17 (1) adopt performance indicators designed to measure a
18 grant recipient's performance with respect to the program standards
19 adopted by commissioner rule that align with the evidence-based
20 model selected by the department; and

21 (2) use the performance indicators to continuously
22 monitor and formally evaluate at least annually the performance of
23 each grant recipient.

24 (b) Not later than December 1 of each year, the department
25 shall prepare and submit a written report to the standing
26 committees of the legislature with primary jurisdiction over the
27 department regarding the performance of each grant recipient during

1 the preceding state fiscal year with respect to providing program
2 services and improving outcomes for newborns and their families.

3 Sec. 32.209. COMPETITIVE GRANT PROGRAM FUNDING. (a) The
4 department shall seek and apply for any available federal and state
5 money, including money available for Medicaid or the Children's
6 Health Insurance Program (CHIP), to assist in financing the
7 program.

8 (b) The department shall consult, collaborate, and
9 coordinate with health benefit plan issuers in this state,
10 including Medicaid managed care organizations, to identify
11 existing incentives and reimbursement strategies that could expand
12 the program.

13 (c) The department may solicit and accept gifts, grants, and
14 donations to operate the program.

15 SECTION 2. (a) As soon as practicable after the effective
16 date of this Act, the Department of Family and Protective Services
17 shall apply for any available federal money to finance the grant
18 program established by Subchapter G, Chapter 32, Health and Safety
19 Code, as added by this Act. If federal money is not available for
20 that purpose and notwithstanding any provision of this Act, the
21 department shall delay implementation of Subchapter G, Chapter 32,
22 Health and Safety Code, as added by this Act, until federal money
23 becomes available.

24 (b) Not later than September 1, 2022, the Department of
25 Family and Protective Services shall establish and implement the
26 grant program established by Subchapter G, Chapter 32, Health and
27 Safety Code, as added by this Act.

1 (c) Not later than September 1, 2022, the commissioner of
2 the Department of Family and Protective Services shall adopt rules
3 necessary to implement Subchapter G, Chapter 32, Health and Safety
4 Code, as added by this Act.

5 (d) Not later than December 1, 2022, the Department of
6 Family and Protective Services shall submit a written report to the
7 standing committees of the legislature with primary jurisdiction
8 over the department regarding the implementation and status of the
9 grant program described by Subchapter G, Chapter 32, Health and
10 Safety Code, as added by this Act.

11 (e) Not later than December 1, 2023, the Department of
12 Family and Protective Services shall submit the initial report
13 required by Section 32.208, Health and Safety Code, as added by this
14 Act.

15 SECTION 3. This Act takes effect September 1, 2021.