

By: Ramos

H.B. No. 3825

A BILL TO BE ENTITLED

AN ACT

relating to expanding access to women's health care services and family planning services by removing restrictions on the participation of certain health care providers.

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

SECTION 1. SHORT TITLE. This Act shall be known as the Free Choice of Provider Act.

SECTION 2. Subchapter A, Chapter 531, Government Code, is amended to read as follows:

Sec. 531.0025. ~~[RESTRICTIONS ON]~~ AWARDS TO FAMILY PLANNING SERVICE PROVIDERS. (a) Notwithstanding any other law, money appropriated to the commission ~~[Department of State Health Services]~~ for the purpose of providing family planning services shall ~~[must]~~ be awarded:

(1) to eligible public and nonpublic entities that provide family planning services according to ~~[in]~~ the following order of descending priority:

(A) the demonstrated, evidence-based, historical ability of each entity to achieve the patient and service utilization goals of the family planning services, or ~~[public entities that provide family planning services, including state, county, and local community health clinics and federally qualified health centers];~~

(B) the likelihood of the entity to meet patient

1 and service utilization goals based on standards set by the agency.
2 ~~[nonpublic entities that provide comprehensive primary and~~
3 ~~preventive care services in addition to family planning services,~~
4 ~~and]~~

5 ~~[(C) nonpublic entities that provide family~~
6 ~~planning services but do not provide comprehensive primary and~~
7 ~~preventive care services, or]~~

8 ~~[(2) as otherwise directed by the legislature in the~~
9 ~~General Appropriations Act.]~~

10 (b) The legislature shall not direct the commission to award
11 money appropriated for the purpose of providing family planning
12 services otherwise in the General Appropriations Act.

13 (c ~~b~~) Notwithstanding Subsections (a) and (b), the
14 commission ~~[Department of State Health Services]~~ shall, in
15 compliance with federal law, ensure distribution of funds for
16 family planning services in a manner that provides equitable access
17 to services in ~~[does not severely limit or eliminate access to those~~
18 ~~services in any]~~ all regions of the state.

19 SECTION 3. The following laws are repealed:

20 (1) Chapter [2272](#), Government Code, as added by Chapter
21 501 (S.B. 22), Acts of the 86th Legislature, Regular Session, 2019;

22 (2) Section [32.024\(c-1\)](#), Human Resources Code.

23 SECTION 4. To the extent of any conflict, this Act prevails
24 over another Act of the 87th Legislature, Regular Session, 2021,
25 relating to nonsubstantive additions to and corrections in enacted
26 codes.

27 SECTION 5. This Act takes effect September 1, 2021.