

By: Campos

H.B. No. 4476

A BILL TO BE ENTITLED

AN ACT

relating to the provision of certain information about Medicaid benefits in relation to newborn children.

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

SECTION 1. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.0631 to read as follows:

Sec. 32.0631. ANNUAL NOTICE TO CERTAIN PROVIDERS REGARDING USE OF MEDICAID IDENTIFICATION NUMBERS WITH RESPECT TO NEWBORN CHILDREN. The commission shall annually provide written notice to each health care provider who regularly provides health care services to Medicaid recipients who are pregnant women or newborn children:

(1) reminding the providers that when a newborn child of a Medicaid recipient has not been assigned a Medicaid identification number, the provider may use the recipient's Medicaid identification number on any claim for reimbursement under Medicaid; and

(2) encouraging providers to educate Medicaid recipients who are mothers or the prospective mothers of newborn children that the recipient may use the recipient's Medicaid identification number until the recipient's newborn child is enrolled in Medicaid.

SECTION 2. Section 161.501(a), Health and Safety Code, is amended to read as follows:

1 (a) A hospital, birthing center, physician, nurse midwife,
2 or midwife who provides prenatal care to a pregnant woman during
3 gestation or at delivery of an infant shall:

4 (1) provide the woman and the father of the infant, if
5 possible, or another adult caregiver for the infant, with a
6 resource pamphlet that includes:

7 (A) a list of the names, addresses, and phone
8 numbers of professional organizations that provide postpartum
9 counseling and assistance to parents relating to postpartum
10 depression and other emotional trauma associated with pregnancy and
11 parenting;

12 (B) information regarding the prevention of
13 shaken baby syndrome including:

14 (i) techniques for coping with anger caused
15 by a crying baby;

16 (ii) different methods for preventing a
17 person from shaking a newborn, infant, or other young child;

18 (iii) the dangerous effects of shaking a
19 newborn, infant, or other young child; and

20 (iv) the symptoms of shaken baby syndrome
21 and who to contact, as recommended by the American Academy of
22 Pediatrics, if a parent suspects or knows that a baby has been
23 shaken in order to receive prompt medical treatment;

24 (C) a list of diseases for which a child is
25 required by state law to be immunized and the appropriate schedule
26 for the administration of those immunizations;

27 (D) the appropriate schedule for follow-up

1 procedures for newborn screening;

2 (E) information regarding sudden infant death
3 syndrome, including current recommendations for infant sleeping
4 conditions to lower the risk of sudden infant death syndrome;

5 (F) educational information in both English and
6 Spanish on:

7 (i) pertussis disease and the availability
8 of a vaccine to protect against pertussis, including information on
9 the Centers for Disease Control and Prevention recommendation that
10 parents receive Tdap during the postpartum period to protect
11 newborns from the transmission of pertussis; and

12 (ii) the incidence of cytomegalovirus,
13 birth defects caused by congenital cytomegalovirus, and available
14 resources for the family of an infant born with congenital
15 cytomegalovirus; ~~and~~

16 (G) the danger of heatstroke for a child left
17 unattended in a motor vehicle; and

18 (H) information about Medicaid benefits for
19 children, including eligibility requirements and the process for
20 applying for those benefits;

21 (2) if the woman is a recipient of medical assistance
22 under Chapter 32, Human Resources Code, provide the woman and the
23 father of the infant, if possible, or another adult caregiver with a
24 resource guide that includes information in both English and
25 Spanish relating to the development, health, and safety of a child
26 from birth until age five, including information relating to:

27 (A) selecting and interacting with a primary

1 health care practitioner and establishing a "medical home" for the
2 child;

- 3 (B) dental care;
- 4 (C) effective parenting;
- 5 (D) child safety;
- 6 (E) the importance of reading to a child;
- 7 (F) expected developmental milestones;
- 8 (G) health care resources available in the state;
- 9 (H) selecting appropriate child care; and
- 10 (I) other resources available in the state;

11 (3) document in the woman's record that the woman
12 received the resource pamphlet described in Subdivision (1) and the
13 resource guide described in Subdivision (2), if applicable; and

14 (4) retain the documentation for at least five years
15 in the hospital's, birthing center's, physician's, nurse midwife's,
16 or midwife's records.

17 SECTION 3. (a) Not later than December 1, 2023, the
18 Department of State Health Services shall include the information
19 required by Section 161.501(a)(1)(H), Health and Safety Code, as
20 added by this Act, in the informational materials required by that
21 section.

22 (b) Notwithstanding Section 161.501(a)(1)(H), Health and
23 Safety Code, as added by this Act, a hospital, birthing center,
24 physician, nurse midwife, or midwife who provides prenatal care to
25 a pregnant woman during gestation or at delivery of an infant is not
26 required to comply with that provision until January 1, 2024.

27 SECTION 4. This Act takes effect September 1, 2023.