

By: Frank

H.B. No. 5285

A BILL TO BE ENTITLED

AN ACT

relating to family support services provided under a Health and Human Services Commission program.

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

SECTION 1. Section 54.001, Health and Safety Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, is amended by amending Subdivision (2) and adding Subdivisions (3), (4), (5), and (6) to read as follows:

(2) "Abortion services provider" means a person who provides abortion-related services, including:

(A) an abortion provider;

(B) a person who provides or refers an individual for abortion-inducing drugs;

(C) a person who facilitates or funds travel to receive an abortion or abortion-related services;

(D) a person who provides information or education relating to abortion or abortion-related services; or

(E) a person who conducts any other activity related to providing, recommending, or advocating for abortion-related services.

(3) "Affiliate" means a person who enters into with another person a legal relationship created or governed by at least one written instrument, including a certificate of formation, a franchise agreement, standards of affiliation, bylaws, or a

1 license, that demonstrates:

2 (A) common ownership, management, or control
3 between the parties to the relationship;

4 (B) a franchise granted by the person to the
5 affiliate; or

6 (C) the granting or extension of a license or
7 other agreement authorizing the affiliate to use the other person's
8 brand name, trademark, service mark, or other registered
9 identification mark.

10 (4) "Governmental entity" means this state or a state
11 agency or political subdivision of this state, including a court,
12 municipality, or county.

13 (5) "Network contractor" means a person who contracts
14 with the commission to provide or coordinate the provision of
15 services under this chapter.

16 (6) "Program" means the Thriving Texas Families
17 Program established under this chapter.

18 SECTION 2. Section 54.002, Health and Safety Code, as added
19 by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular
20 Session, 2023, is amended by amending Subsections (a) and (d) and
21 adding Subsection (f) to read as follows:

22 (a) The commission shall establish the Thriving Texas
23 Families Program as a continuation of the alternatives to abortion
24 program to facilitate the operation of a statewide support network
25 that provides:

26 (1) community outreach, consultation, and care
27 coordination for women with an unexpected pregnancy; and

1 (2) an alternative to abortion through life-affirming
2 pregnancy, adoption, and parenting and family support services.

3 (d) In developing the statewide network of service
4 providers, the commission shall:

5 (1) [7] to the extent practicable, contract with
6 providers who have a history of working with the commission in
7 programs similar to the program created by this chapter; and

8 (2) ensure that service providers are not associated
9 with an abortion services provider and do not provide, refer
10 patients to, advocate for, or promote abortion services by
11 verifying the provider:

12 (A) remains a legally separate entity from any
13 abortion services provider and does not enter into any legal
14 relationship with any abortion services provider;

15 (B) does not contract with or transfer any money,
16 through gift or payment, to an abortion services provider or
17 affiliate;

18 (C) does not share any employees or members of
19 its governing body with an abortion services provider or affiliate;

20 (D) does not recommend abortion as an option for
21 a client; and

22 (E) does not display or use the names or
23 trademarks of an abortion services provider in describing or naming
24 the provider under this program.

25 (f) Each network contractor and service provider shall
26 annually certify in writing to the commission that the network
27 contractor or service provider:

1 (1) upholds the life-affirming mission of the program;
2 and
3 (2) is not involved in activities contradicting the
4 program's objectives.

5 SECTION 3. Sections 54.003(b) and (e), Health and Safety
6 Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th
7 Legislature, Regular Session, 2023, are amended to read as follows:

8 (b) Services provided through the program include:

9 (1) counseling and mentoring on pregnancy, education,
10 parenting skills, adoption services, life skills, and employment
11 readiness topics;

12 (2) care coordination for prenatal, perinatal, and
13 postnatal services, including connecting participants to health
14 services;

15 (3) educational materials and information about
16 pregnancy, parenting, and adoption services;

17 (4) referrals to governmental and social service
18 programs, including child care, transportation, housing, and state
19 and federal benefit programs;

20 (5) classes on life skills, personal finance,
21 parenthood, stress management, job training, job readiness, job
22 placement, and educational attainment;

23 (6) provision of supplies for infant care and
24 pregnancy, including car seats, cribs, maternity clothes, infant
25 diapers, and formula; ~~and~~

26 (7) housing services; and

27 (8) assistance in identifying and applying for stable

1 housing services other than housing provided as authorized by
2 Subsection (d).

3 (e) The commission or network contractors may not provide
4 family planning or any abortion-related services through the
5 network.

6 SECTION 4. Section 54.006(b), Health and Safety Code, as
7 added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature,
8 Regular Session, 2023, is amended to read as follows:

9 (b) The commission shall seek comments from network
10 providers in identifying [~~identify~~] indicators to measure the
11 performance outcomes under Subsection (a) and require periodic
12 reporting on the outcomes by network contractors and participating
13 service providers.

14 SECTION 5. Section 54.011, Health and Safety Code, as added
15 by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular
16 Session, 2023, is amended by amending Subsection (b) and adding
17 Subsections (d) and (e) to read as follows:

18 (b) The commission or a service provider may not:

19 (1) use funding provided through the program to
20 perform, induce, assist, or refer an abortion; or

21 (2) grant funds to an abortion provider, ~~[or]~~ an
22 affiliate of an abortion provider, or an abortion services
23 provider.

24 (d) An organization is not eligible for funding under this
25 chapter if the organization:

26 (1) is a governmental entity or quasi-governmental
27 entity;

1 (2) is a hospital or hospital district;

2 (3) primarily functions as a medical, behavioral
3 health, or mental health provider;

4 (4) shares any employees or members of its governing
5 body with an abortion services provider; or

6 (5) is affiliated with, collaborates, or has a
7 relationship with an organization that shares any employees or
8 members of its governing body with an abortion services provider.

9 (e) Subsection (d) does not apply to:

10 (1) an organization that contracted with the
11 commission before September 1, 2023; or

12 (2) an organization with a history of contracting
13 through the program and of providing alternatives to abortion.

14 SECTION 6. As soon as practicable after the effective date
15 of this Act, the executive commissioner of the Health and Human
16 Services Commission shall adopt rules as necessary to implement the
17 changes in law made by this Act.

18 SECTION 7. This Act takes effect September 1, 2025.