

By: Carona, et al.

S.B. No. 747

A BILL TO BE ENTITLED

AN ACT

relating to establishing a demonstration project for women's health care services.

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 32.0248 to read as follows:

Sec. 32.0248. DEMONSTRATION PROJECT FOR WOMEN'S HEALTH CARE SERVICES. (a) The department shall establish a five-year demonstration project through the medical assistance program to expand access to preventive health and family planning services for women. A woman eligible under Subsection (b) to participate in the demonstration project may receive appropriate preventive health and family planning services, including:

(1) medical history recording and evaluation;

(2) physical examinations;

(3) health screenings, including screening for:

(A) diabetes;

(B) cervical cancer;

(C) breast cancer;

(D) sexually transmitted diseases;

(E) hypertension;

(F) cholesterol; and

(G) tuberculosis;

(4) counseling and education on contraceptive

1 methods;

2 (5) provision of contraceptives;

3 (6) risk assessment; and

4 (7) referral of medical problems to appropriate  
5 providers.

6 (b) A woman is eligible to participate in the demonstration  
7 project if the woman is at least 18 years of age and:

8 (1) has a net family income that is at or below 185  
9 percent of the federal poverty level;

10 (2) participates in or receives benefits under any of  
11 the following:

12 (A) the medical assistance program;

13 (B) the financial assistance program under  
14 Chapter 31;

15 (C) the nutritional assistance program under  
16 Chapter 33;

17 (D) the Supplemental Food Program for Women,  
18 Infants and Children; or

19 (E) another program administered by the state  
20 that:

21 (i) requires documentation of income; and

22 (ii) restricts eligibility to persons with  
23 income equal to or less than the income eligibility guidelines  
24 applicable to the medical assistance program;

25 (3) is presumed eligible for one of the programs  
26 listed in Subdivision (2) pending completion of that program's  
27 eligibility process; or

1           (4) is a member of a family that contains at least one  
2 person who participates in or receives benefits under one of the  
3 programs listed in Subdivision (2).

4           (c) The department shall ensure that the standards of care  
5 provided to a woman participating in the demonstration project are  
6 consistent with the requirements of law and current best practices  
7 for provision of public health services.

8           (d) The department shall develop procedures for determining  
9 and certifying eligibility for services under the demonstration  
10 project at the point of service delivery using integrated  
11 procedures that minimize duplication of effort by providers, the  
12 department, and other state agencies. The department may not use a  
13 procedure that would require a cost in excess of 10 percent of the  
14 total costs of actual preventive health and family planning  
15 services provided under the demonstration project. The eligibility  
16 procedure may provide for expedited determination and  
17 certification using a simplified form requiring only family income  
18 and family size.

19           (e) The department shall compile a list of potential funding  
20 sources a woman participating in the demonstration project may be  
21 able to use to help pay for treatment for health problems:

22           (1) identified using services provided under the  
23 demonstration project; and

24           (2) for which the woman is not eligible to receive  
25 treatment under the medical assistance program or the demonstration  
26 project.

27           (f) Providers of services under the demonstration project

1 shall comply with requests made by the department for information  
2 necessary for the department to:

3 (1) make efficient use of money spent for the  
4 operation and administration of the demonstration project;

5 (2) report and provide information required by federal  
6 law; and

7 (3) compile the report required by Subsection (g).

8 (g) Not later than December 1 of each even-numbered year,  
9 the department shall submit a report to the legislature regarding  
10 the department's progress in establishing and operating the  
11 demonstration project.

12 (h) The department shall ensure that money spent under the  
13 demonstration project, regardless of the funding source, is not  
14 used for an abortion, as defined by Section 245.002, Health and  
15 Safety Code.

16 (i) This section expires September 1, 2011.

17 SECTION 2. If before implementing any provision of this Act  
18 a state agency determines that a waiver or authorization from a  
19 federal agency is necessary for implementation of that provision,  
20 the agency affected by the provision shall request the waiver or  
21 authorization and may delay implementing that provision until the  
22 waiver or authorization is granted.

23 SECTION 3. Not later than September 1, 2006, the state  
24 agency responsible for implementing the demonstration project  
25 required by Section 32.0248, Human Resources Code, as added by this  
26 Act, shall implement the demonstration project.

27 SECTION 4. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2005.