

By: Villarreal

H.B. No. 892

A BILL TO BE ENTITLED

AN ACT

relating to the Women's Health Program.

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

SECTION 1. Section 32.0248, Human Resources Code, is amended by adding Subsections (a-1), (b-1), (b-2), and (f-1) to read as follows:

(a-1) The department shall provide adequate resources to increase marketing and outreach in order to maximize enrollment of and continuous utilization by potentially eligible women in the demonstration project. Programs and services designed to reduce the number of unintended pregnancies and lower the rates of sexually transmitted diseases shall be maintained at a level at least equal to the level at which these services were provided on September 1, 2009.

(b-1) The department shall identify women potentially eligible for participation in the demonstration project following pregnancies for which the women received benefits through the medical assistance program and assist those women in establishing eligibility for the demonstration project after eligibility for the medical assistance program terminates. Participation in the demonstration project shall begin as soon as possible after eligibility for the medical assistance program terminates.

(b-2) The department shall modify any applicable administrative procedures to ensure that a woman described by

1 Subsection (b-1) maintains continuous eligibility for any services
2 provided by both the medical assistance program and the
3 demonstration project during the transition from participation in
4 the medical assistance program to participation in the
5 demonstration project.

6 (f-1) There is a rebuttable presumption that a physician who
7 contracts with the demonstration project to provide care or
8 services to participants in the demonstration project is not liable
9 if a participant does not seek medical care after the physician, in
10 the physician's reasonable medical opinion, advises the
11 participant to do so. This rebuttable presumption exists only in
12 relation to the condition or circumstances for which the
13 participant was advised to seek care.

14 SECTION 2. Subchapter B, Chapter 32, Human Resources Code,
15 is amended by adding Section 32.02481 to read as follows:

16 Sec. 32.02481. WOMEN'S HEALTH PROGRAM OUTREACH PILOT
17 PROGRAM. (a) In this section, "women's health program" means the
18 demonstration project established under Section 32.0248.

19 (b) The department, in conjunction with a health plan and
20 hospital in Bexar County, shall develop an outreach pilot program
21 to assist women described by Section 32.0248(b-1) in establishing
22 eligibility for the women's health program. As part of the outreach
23 pilot program, the department shall:

24 (1) perform an initial screening to determine
25 eligibility for the women's health program; and

26 (2) ensure that a woman described by Section
27 32.0248(b-1) receives information regarding benefits available

1 through the women's health program, notification of potential
2 eligibility, an application form for the women's health program,
3 information on where and how to receive application assistance, and
4 a list, updated on a quarterly basis, of women's health program
5 providers in the county.

6 (c) A hospital or health plan participating in the outreach
7 pilot program that contracts with an entity that provides
8 information and services to participants in the medical assistance
9 program may modify the information and services provided by that
10 entity to ensure that potentially eligible women are provided the
11 information and services required under this section.

12 (d) The outreach pilot program must include monitoring,
13 evaluation, and reporting. The department shall use information
14 provided by the hospital or health plan participating in the
15 outreach pilot program to report to the legislature regarding the
16 following:

17 (1) the costs and benefits of establishing a statewide
18 outreach program; and

19 (2) problems encountered during the implementation of
20 the outreach pilot program and recommendations for solutions.

21 (e) This section expires September 1, 2011.

22 SECTION 3. If before implementing any provision of this Act
23 a state agency determines that a waiver or authorization from a
24 federal agency is necessary for implementation of that provision,
25 the agency affected by the provision shall request the waiver or
26 authorization and may delay implementing that provision until the
27 waiver or authorization is granted.

1 SECTION 4. This Act takes effect September 1, 2009.