

1-1 By: Villarreal, Naishtat, Coleman H.B. No. 1240
1-2 (Senate Sponsor - Uresti)
1-3 (In the Senate - Received from the House April 1, 2009;
1-4 April 16, 2009, read first time and referred to Committee on Health
1-5 and Human Services; May 5, 2009, reported favorably by the
1-6 following vote: Yeas 9, Nays 0; May 5, 2009, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to information required to be provided to parents of an
1-10 infant.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Sections 161.501 and 161.502, Health and Safety
1-13 Code, are amended to read as follows:

1-14 Sec. 161.501. RESOURCE PAMPHLET AND RESOURCE GUIDE PROVIDED
1-15 TO PARENTS OF NEWBORN CHILDREN. (a) A hospital, birthing center,
1-16 physician, nurse midwife, or midwife who provides prenatal care to
1-17 a pregnant woman during gestation or at delivery of an infant shall:

1-18 (1) provide the woman and the father of the infant, if
1-19 possible, or another adult caregiver for the infant, with a
1-20 resource pamphlet that includes:

1-21 (A) a list of the names, addresses, and phone
1-22 numbers of professional organizations that provide postpartum
1-23 counseling and assistance to parents relating to postpartum
1-24 depression and other emotional trauma associated with pregnancy and
1-25 parenting;

1-26 (B) information regarding the prevention of
1-27 shaken baby syndrome including:

1-28 (i) techniques for coping with anger caused
1-29 by a crying baby;

1-30 (ii) different methods for preventing a
1-31 person from shaking a newborn, infant, or other young child;

1-32 (iii) the dangerous effects of shaking a
1-33 newborn, infant, or other young child; and

1-34 (iv) the symptoms of shaken baby syndrome
1-35 and who to contact, as recommended by the American Academy of
1-36 Pediatrics, if a parent suspects or knows that a baby has been
1-37 shaken in order to receive prompt medical treatment;

1-38 (C) a list of diseases for which a child is
1-39 required by state law to be immunized and the appropriate schedule
1-40 for the administration of those immunizations; and

1-41 (D) the appropriate schedule for follow-up
1-42 procedures for newborn screening;

1-43 (2) if the woman is a recipient of medical assistance
1-44 under Chapter 32, Human Resources Code, provide the woman and the
1-45 father of the infant, if possible, or another adult caregiver with a
1-46 resource guide that includes information in both English and
1-47 Spanish relating to the development, health, and safety of a child
1-48 from birth until age five, including information relating to:

1-49 (A) selecting and interacting with a primary
1-50 health care practitioner and establishing a "medical home" for the
1-51 child;

1-52 (B) dental care;

1-53 (C) effective parenting;

1-54 (D) child safety;

1-55 (E) the importance of reading to a child;

1-56 (F) expected developmental milestones;

1-57 (G) health care resources available in the state;

1-58 (H) selecting appropriate child care; and

1-59 (I) other resources available in the state;

1-60 (3) document in the woman's record that the woman
1-61 received the resource pamphlet [~~information~~] described in
1-62 Subdivision (1) and the resource guide described in Subdivision
1-63 (2), if applicable; and

1-64 (4) [~~3~~] retain the documentation for at least five

2-1 years in the hospital's, birthing center's, physician's, nurse
2-2 midwife's, or midwife's records.

2-3 (b) A hospital, birthing center, physician, nurse midwife,
2-4 or midwife:

2-5 (1) may use the pamphlet provided on the department's
2-6 website or an alternative pamphlet that provides the information
2-7 required by Subsection (a)(1); and

2-8 (2) may use the resource guide provided on the
2-9 department's website or an alternative guide that provides the
2-10 information required by Subsection (a)(2) [~~this section~~].

2-11 (c) The department may make available online and distribute
2-12 an existing publication created by another health and human
2-13 services agency as the resource guide required by Subsection
2-14 (a)(2).

2-15 Sec. 161.502. DUTIES OF DEPARTMENT. (a) The department
2-16 shall:

2-17 (1) establish guidelines for the provision of the
2-18 information required by Section 161.501;

2-19 (2) make available on the department's website:

2-20 (A) a printable version of the pamphlet required
2-21 by Section 161.501(a)(1) [~~161.501~~]; and

2-22 (B) a printable version of the resource guide
2-23 required by Section 161.501(a)(2);

2-24 (3) update the list of resources and required
2-25 immunizations in the pamphlet required under Subdivision (2)(A)
2-26 [~~2~~] quarterly;

2-27 (4) make the pamphlet and resource guide required by
2-28 Section 161.501 available for distribution to hospitals,
2-29 physicians, birthing centers, nurse midwives, and midwives; and

2-30 (5) coordinate funding for the development,
2-31 publication, and distribution of the informational pamphlet and
2-32 resource guide with other health and human services agencies, and
2-33 solicit funding for the department's duties under this subchapter
2-34 through means other than appropriations, such as gifts, grants, and
2-35 sales of sponsorship or advertising.

2-36 (b) The department may include additional information in
2-37 the pamphlet or resource guide as appropriate for parents of
2-38 newborns.

2-39 (c) The Health and Human Services Commission shall develop
2-40 specific performance measures by which the commission may evaluate
2-41 the effectiveness of the resource guide under Section 161.501(a)(2)
2-42 in:

2-43 (1) reducing costs to the state; and

2-44 (2) improving outcomes for children.

2-45 (d) Not later than December 1 of each even-numbered year,
2-46 the Health and Human Services Commission shall submit a report to
2-47 the legislature on the effectiveness of the resource guide under
2-48 Section 161.501(a)(2), including legislative recommendations
2-49 concerning the guide.

2-50 SECTION 2. This Act takes effect September 1, 2009.

2-51

* * * * *