

By: Bohac

H.B. No. 1426

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the establishment of a pilot program in certain  
3 counties to require health and human services providers to provide  
4 screening to prevent fetal alcohol spectrum disorders.

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

6 SECTION 1. (a) In this section:

7 (1) "Center for Health Statistics" means the Center  
8 for Health Statistics of the Department of State Health Services.

9 (2) "Health and human services provider" means a  
10 health care provider that receives public money from a program  
11 under Title IV, Title V, Title XIX, or Title XX, Social Security Act  
12 (42 U.S.C. Section 301 et seq.), and that provides health and human  
13 services to women in the counties in which the pilot program is  
14 conducted under this section. The term includes:

15 (A) a primary health care provider;

16 (B) an obstetrical or gynecological service  
17 provider;

18 (C) a prenatal and family planning service  
19 provider;

20 (D) a family protective service program  
21 provider; and

22 (E) a clinic for women, infants, and children.

23 (b) The Office for the Prevention of Developmental  
24 Disabilities, Department of State Health Services, and Department

1 of Family and Protective Services shall establish a pilot program  
2 to:

3 (1) support public and private efforts to identify  
4 women who are at risk for an alcohol-exposed pregnancy through the  
5 creation of a network of health and human services providers that  
6 screen women of childbearing age for alcohol consumption; and

7 (2) provide alcohol education to women between the  
8 ages of 18 and 44 years.

9 (c) The pilot program shall be conducted in three urban  
10 counties. Each county must:

11 (1) have a population of more than one million; and

12 (2) have documented a high percentage of women who  
13 engage in frequent consumption of alcoholic beverages.

14 (d) In the counties in which the pilot program is conducted  
15 under this section, the Office for the Prevention of Developmental  
16 Disabilities, Department of State Health Services, and Department  
17 of Family and Protective Services shall:

18 (1) develop an action plan to require each health and  
19 human services provider to:

20 (A) screen for alcohol consumption by women  
21 between the ages of 18 and 44 years who are receiving services from  
22 the provider; and

23 (B) provide data on the results of the screening  
24 conducted under Paragraph (A) of this subdivision to the Department  
25 of State Health Services;

26 (2) adopt rules that:

27 (A) establish minimum standards for screening

1 women for alcohol consumption in health and human services programs  
2 and for reporting the screening data to the Center for Health  
3 Statistics;

4 (B) require a health and human services provider  
5 that is licensed in this state and that treats children or treats  
6 women of childbearing age to document in each child's or woman's  
7 medical record any known substance abuse or any alcohol consumption  
8 that exceeds more than four drinks on one occasion by the woman or  
9 by the child's mother during the mother's pregnancy with the child;

10 (C) establish minimum standards for:

11 (i) treating women who are pregnant or at  
12 risk for an alcohol-exposed pregnancy and who are enrolled in a  
13 chemical dependency treatment program; and

14 (ii) reporting the treatment data to the  
15 Center for Health Statistics;

16 (D) give the highest priority for access to  
17 chemical dependency treatment to women who are at risk for an  
18 alcohol-exposed pregnancy; and

19 (E) require the dissemination of information on  
20 the prevention of fetal alcohol spectrum disorders to all women of  
21 childbearing age receiving services from a health and human  
22 services provider;

23 (3) train, under a written training protocol:

24 (A) physicians, physician assistants, nurses,  
25 caseworkers, and family protective services workers to administer  
26 an alcohol consumption screening tool and to report the data  
27 collected to the Center for Health Statistics; and

1 (B) counselors to administer a brief fetal  
2 alcohol spectrum disorders intervention to women of childbearing  
3 age who are enrolled in chemical dependency treatment;

4 (4) analyze:

5 (A) the screening data reported by health and  
6 human services providers to the Center for Health Statistics; and

7 (B) the intervention data of women enrolled in  
8 treatment reported by health and human services providers to the  
9 Center for Health Statistics;

10 (5) determine, from the data analyzed under  
11 Subdivision (4) of this subsection, the number of women who may be  
12 at risk for an alcohol-exposed pregnancy; and

13 (6) disseminate information on the prevention of fetal  
14 alcohol spectrum disorders to all women of childbearing age  
15 receiving services from a health and human services provider.

16 (e) The Office for the Prevention of Developmental  
17 Disabilities, Department of State Health Services, and Department  
18 of Family and Protective Services shall report the findings of the  
19 pilot program conducted under this section to the legislature not  
20 later than December 1, 2011.

21 (f) This section expires January 1, 2013.

22 SECTION 2. This Act takes effect September 1, 2009.