

By: Villarreal

H.B. No. 419

A BILL TO BE ENTITLED

AN ACT

relating to the automatic enrollment of certain women in the demonstration project for women's health care services.

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

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

(a) The department shall operate [~~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 methods

1 emphasizing the health benefits of abstinence from sexual activity  
2 to recipients who are not married, except for counseling and  
3 education regarding emergency contraception;

4 (5) provision of contraceptives, except for the  
5 provision of emergency contraception;

6 (6) risk assessment; and

7 (7) referral of medical problems to appropriate  
8 providers that are entities or organizations that do not perform or  
9 promote elective abortions or contract or affiliate with entities  
10 that perform or promote elective abortions.

11 (b-1) On the 61st day after the date a woman who received  
12 benefits through the medical assistance program during her  
13 pregnancy gives birth, the department shall automatically enroll  
14 the woman in the demonstration project for a period of 10 months if  
15 she is otherwise eligible to participate in the project.

16 (b-2) The department shall modify any applicable  
17 administrative procedures to ensure that a woman described by  
18 Subsection (b-1) maintains continuous eligibility for any services  
19 provided by both the medical assistance program and the  
20 demonstration project during the transition from participation in  
21 the medical assistance program to participation in the  
22 demonstration project.

23 (g) Not later than December 1 of each even-numbered year,  
24 the department shall submit a report to the legislature regarding  
25 the department's operation of [~~progress in establishing and~~  
26 ~~operating~~] the demonstration project.

27 (i) This section expires September 1, 2021 [~~2011~~].

1           SECTION 2. The change in law made by this Act applies only  
2 to a person who receives medical assistance under Chapter 32, Human  
3 Resources Code, on or after the effective date of this Act,  
4 regardless of the date on which eligibility for the medical  
5 assistance was determined.

6           SECTION 3. If before implementing Section 32.0248, Human  
7 Resources Code, as amended by this Act, a state agency determines  
8 that an amendment to the existing waiver or other authorization is  
9 necessary to extend the operation of the demonstration project for  
10 women's health care services under that section as amended, the  
11 agency affected by the provision shall request the amendment to the  
12 waiver or other authorization and may delay implementing that  
13 section until the amendment or other authorization is granted.

14           SECTION 4. This Act takes effect August 31, 2011.