

By: Villarreal

H.B. No. 1623

A BILL TO BE ENTITLED

1 AN ACT
2 relating to certain information regarding paternity required to be
3 provided to certain pregnant women and mothers of newborns.

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

5 SECTION 1. Subchapter B, Chapter 231, Family Code, is
6 amended by adding Section 231.1121 to read as follows:

7 Sec. 231.1121. PATERNITY INFORMATION FOR PREGNANT WOMEN AND
8 MOTHERS OF NEWBORN CHILDREN. (a) The Title IV-D agency shall
9 develop and periodically update a publication that provides
10 information about paternity establishment and child support,
11 including:

12 (1) the steps necessary for unmarried parents to
13 establish legal paternity;

14 (2) the benefits of paternity establishment for
15 children;

16 (3) the steps necessary to obtain a child support
17 order;

18 (4) the benefits of establishing a legal parenting
19 order; and

20 (5) any other information that the Title IV-D agency
21 determines supports positive father involvement.

22 (b) The Title IV-D agency shall make the publication
23 described by Subsection (a) available on the Title IV-D agency's
24 Internet website in a format that allows the public to view,

1 download, and print the publication.

2 SECTION 2. The heading to Section 161.501, Health and
3 Safety Code, is amended to read as follows:

4 Sec. 161.501. RESOURCE PAMPHLET, ~~[AND]~~ RESOURCE GUIDE, AND
5 INFORMATIONAL MATERIALS REGARDING PATERNITY PROVIDED TO PARENTS OF
6 NEWBORN CHILDREN.

7 SECTION 3. Section 161.501(a), Health and Safety Code, is
8 amended to read as follows:

9 (a) A hospital, birthing center, physician, nurse midwife,
10 or midwife who provides prenatal care to a pregnant woman during
11 gestation or at delivery of an infant shall:

12 (1) provide the woman and the father of the infant, if
13 possible, or another adult caregiver for the infant, with a
14 resource pamphlet that includes:

15 (A) a list of the names, addresses, and phone
16 numbers of professional organizations that provide postpartum
17 counseling and assistance to parents relating to postpartum
18 depression and other emotional trauma associated with pregnancy and
19 parenting;

20 (B) information regarding the prevention of
21 shaken baby syndrome including:

22 (i) techniques for coping with anger caused
23 by a crying baby;

24 (ii) different methods for preventing a
25 person from shaking a newborn, infant, or other young child;

26 (iii) the dangerous effects of shaking a
27 newborn, infant, or other young child; and

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

5 (C) a list of diseases for which a child is
6 required by state law to be immunized and the appropriate schedule
7 for the administration of those immunizations;

8 (D) the appropriate schedule for follow-up
9 procedures for newborn screening; and

10 (E) information regarding sudden infant death
11 syndrome, including current recommendations for infant sleeping
12 conditions to lower the risk of sudden infant death syndrome;

13 (2) if the woman is a recipient of medical assistance
14 under Chapter 32, Human Resources Code, provide the woman and the
15 father of the infant, if possible, or another adult caregiver with a
16 resource guide that includes information in both English and
17 Spanish relating to the development, health, and safety of a child
18 from birth until age five, including information relating to:

19 (A) selecting and interacting with a primary
20 health care practitioner and establishing a "medical home" for the
21 child;

22 (B) dental care;

23 (C) effective parenting;

24 (D) child safety;

25 (E) the importance of reading to a child;

26 (F) expected developmental milestones;

27 (G) health care resources available in the state;

1 (H) selecting appropriate child care; and

2 (I) other resources available in the state;

3 (3) if the woman is a recipient of medical assistance
4 under Chapter 32, Human Resources Code, provide the woman and the
5 father of the infant, if possible, with the informational materials
6 regarding paternity described by Section 231.1121, Family Code;

7 (4) document in the woman's record that the woman
8 received the resource pamphlet described in Subdivision (1), ~~and~~
9 the resource guide described in Subdivision (2), and the
10 informational materials described in Subdivision (3), if
11 applicable; and

12 (5) ~~(4)~~ retain the documentation for at least five
13 years in the hospital's, birthing center's, physician's, nurse
14 midwife's, or midwife's records.

15 SECTION 4. Section 161.502(a), Health and Safety Code, is
16 amended to read as follows:

17 (a) The department shall:

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

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

21 (A) a printable version of the pamphlet required
22 by Section 161.501(a)(1); ~~and~~

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

25 (C) a printable version of the informational
26 materials regarding paternity developed under Section 231.1121,
27 Family Code, or a link to those materials on the Title IV-D agency's

1 Internet website;

2 (3) update the list of resources and required
3 immunizations in the pamphlet required under Subdivision (2)(A)
4 quarterly;

5 (4) make the pamphlet, ~~and~~ resource guide, and
6 informational materials regarding paternity required by Section
7 161.501 available for distribution to hospitals, physicians,
8 birthing centers, nurse midwives, and midwives; and

9 (5) coordinate funding for the development,
10 publication, and distribution of the informational pamphlet and
11 resource guide with other health and human services agencies, and
12 solicit funding for the department's duties under this subchapter
13 through means other than appropriations, such as gifts, grants, and
14 sales of sponsorship or advertising.

15 SECTION 5. (a) The Title IV-D agency shall develop and
16 publish the informational materials required by Section 231.1121,
17 Family Code, as added by this Act, not later than November 1, 2011.

18 (b) A hospital, birthing center, physician, nurse midwife,
19 or midwife is not required to comply with Section 161.501, Health
20 and Safety Code, as amended by this Act, until the Title IV-D agency
21 makes the publication available as described by Section 231.1121,
22 Family Code, as added by this Act.

23 (c) The Department of State Health Services is not required
24 to comply with Section 161.502, Health and Safety Code, as amended
25 by this Act, until the Title IV-D agency makes the publication
26 available as described by Section 231.1121, Family Code, as added
27 by this Act.

1 SECTION 6. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2011.