

By: Huffman

S.B. No. 1698

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to coverage for certain services relating to postpartum  
3 depression under the medical assistance and CHIP perinatal  
4 programs.

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

6 SECTION 1. Chapter 62, Health and Safety Code, is amended by  
7 adding Subchapter E to read as follows:

8 SUBCHAPTER E. CHIP PERINATAL PROGRAM

9 Sec. 62.201. DEFINITION. In this subchapter, "postpartum  
10 depression" means a disorder with postpartum onset that is  
11 categorized as a mood disorder by the American Psychiatric  
12 Association in the Diagnostic and Statistical Manual of Mental  
13 Disorders, 5th Edition (DSM-5), or a subsequent edition adopted by  
14 rule by the executive commissioner of the commission.

15 Sec. 62.202. COVERAGE FOR CERTAIN SERVICES REQUIRED. (a)  
16 The covered services under the CHIP perinatal program must include,  
17 for each woman who gives birth to a child who is enrolled in the CHIP  
18 perinatal program before birth, screening and treatment for  
19 postpartum depression for the 12-month period after the date the  
20 woman gives birth to the child.

21 (b) If the health care provider who is treating a woman for  
22 postpartum depression under Subsection (a) determines that it is  
23 medically necessary for the woman to continue receiving treatment  
24 after the 12-month period of coverage ends, the health care

1 provider must refer the woman to a federally qualified health  
2 center for continued treatment.

3 (c) The executive commissioner of the commission shall  
4 adopt rules necessary to implement this section.

5 SECTION 2. Subchapter B, Chapter 32, Human Resources Code,  
6 is amended by adding Section 32.0249 to read as follows:

7 Sec. 32.0249. SERVICES RELATED TO POSTPARTUM DEPRESSION.

8 (a) For purposes of this section, "postpartum depression" means a  
9 disorder with postpartum onset that is categorized as a mood  
10 disorder by the American Psychiatric Association in the Diagnostic  
11 and Statistical Manual of Mental Disorders, 5th Edition (DSM-5), or  
12 a subsequent edition adopted by rule by the executive commissioner  
13 of the Health and Human Services Commission.

14 (b) The department shall provide to a woman who receives  
15 medical assistance benefits during a pregnancy screening and  
16 treatment for postpartum depression for the 12-month period after  
17 the date the woman gives birth.

18 (c) If the health care provider who is treating a woman for  
19 postpartum depression under Subsection (b) determines that it is  
20 medically necessary for the woman to continue receiving treatment  
21 after the 12-month period, the health care provider must refer the  
22 woman to a federally qualified health center for continued  
23 treatment.

24 (d) The executive commissioner of the Health and Human  
25 Services Commission shall adopt rules necessary to implement this  
26 section.

27 SECTION 3. If before implementing any provision of this Act

1 a state agency determines that a waiver or authorization from a  
2 federal agency is necessary for implementation of that provision,  
3 the agency affected by the provision shall request the waiver or  
4 authorization and may delay implementing that provision until the  
5 waiver or authorization is granted.

6 SECTION 4. This Act takes effect September 1, 2015.