

By: Burkett, Davis of Harris, Morrison,
Klick, et al.

H.B. No. 9

Substitute the following for H.B. No. 9:

By: Price

C.S.H.B. No. 9

A BILL TO BE ENTITLED

AN ACT

relating to maternal health and safety, pregnancy-related deaths,
and maternal morbidity, including postpartum depression.

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

SECTION 1. Section 34.005, Health and Safety Code, is
amended to read as follows:

Sec. 34.005. DUTIES OF TASK FORCE. The task force shall:

(1) study and review:

(A) cases of pregnancy-related deaths; ~~and~~

(B) trends, rates, or disparities in
pregnancy-related deaths and ~~in~~ severe maternal morbidity;

(C) health conditions and factors that
disproportionately affect the most at-risk population as
determined in the joint biennial report required under Section
34.015; and

(D) best practices and programs operating in
other states that have reduced rates of pregnancy-related deaths;

(2) compare rates of pregnancy-related deaths based on
the socioeconomic status of the mother;

(3) determine the feasibility of the task force
studying cases of severe maternal morbidity; and

(4) in consultation with the Perinatal Advisory
Council, ~~(3)~~ make recommendations to help reduce the incidence of
pregnancy-related deaths and severe maternal morbidity in this

1 state.

2 SECTION 2. Chapter 34, Health and Safety Code, is amended by
3 adding Section 34.0055 to read as follows:

4 Sec. 34.0055. SCREENING AND EDUCATIONAL MATERIALS FOR
5 SUBSTANCE USE. (a) The task force, in coordination with the
6 department, shall:

7 (1) make available to physicians and other persons
8 licensed or certified to conduct a substance use screening of
9 pregnant women information that includes:

10 (A) guidance regarding best practices for
11 verbally screening a pregnant woman for substance use using a
12 validated screening tool; and

13 (B) a list of substance use treatment resources
14 in each geographic region of this state; and

15 (2) review and promote the use of educational
16 materials on the consequences of opioid drug use during pregnancy.

17 (b) The department shall make available on the department's
18 Internet website the information and educational materials
19 described by Subsection (a).

20 SECTION 3. Sections 34.007(a) and (b), Health and Safety
21 Code, are amended to read as follows:

22 (a) The department shall determine a statistically
23 significant number of cases of pregnancy-related deaths for review.
24 The department shall either randomly select cases or select all
25 cases for the task force to review under this subsection to reflect
26 a cross-section of pregnancy-related deaths in this state.

27 (b) The department shall statistically analyze aggregate

1 data of pregnancy-related deaths and severe maternal morbidity in
2 this state to identify any trends, rates, or disparities.

3 SECTION 4. Section 34.015(b), Health and Safety Code, is
4 amended to read as follows:

5 (b) The report must include the task force's
6 recommendations under Section 34.005(4) [~~34.005(3)~~].

7 SECTION 5. Chapter 34, Health and Safety Code, is amended by
8 adding Sections 34.0155, 34.0156, and 34.0157 to read as follows:

9 Sec. 34.0155. REPORT ON PREGNANCY-RELATED DEATHS, SEVERE
10 MATERNAL MORBIDITY, AND POSTPARTUM DEPRESSION. The commission
11 shall:

12 (1) evaluate options for reducing pregnancy-related
13 deaths, focusing on the most prevalent causes of pregnancy-related
14 deaths as identified in the joint biennial report required under
15 Section 34.015, and for treating postpartum depression in
16 economically disadvantaged women;

17 (2) in coordination with the department and the task
18 force, identify strategies to:

19 (A) lower costs of providing medical assistance
20 under Chapter 32, Human Resources Code, related to severe maternal
21 morbidity and chronic illness; and

22 (B) improve quality outcomes related to the
23 underlying causes of severe maternal morbidity and chronic illness;
24 and

25 (3) not later than December 1 of each even-numbered
26 year, submit to the governor, the lieutenant governor, the speaker
27 of the house of representatives, the Legislative Budget Board, and

1 the appropriate standing committees of the legislature a written
2 report that includes:

3 (A) a summary of the commission's and
4 department's efforts to accomplish the tasks described by
5 Subdivisions (1) and (2); and

6 (B) a summary of the report required by Section
7 34.0156.

8 Sec. 34.0156. MATERNAL HEALTH AND SAFETY INITIATIVE. (a)
9 Using existing resources, the department, in collaboration with the
10 task force, shall promote and facilitate the use among health care
11 providers in this state of maternal health and safety informational
12 materials, including tools and procedures related to best practices
13 in maternal health and safety.

14 (b) Not later than December 1 of each even-numbered year,
15 the department shall submit a report to the executive commissioner
16 that includes:

17 (1) a summary of the initiative's implementation and
18 outcomes; and

19 (2) recommendations for improving the effectiveness
20 of the initiative.

21 Sec. 34.0157. FEASIBILITY STUDY RELATED TO MATERNAL HEALTH
22 AND SAFETY INITIATIVE. (a) Using existing resources and not later
23 than December 1, 2018, the commission shall study and determine the
24 feasibility of adding a provider's use of procedures included in
25 the maternal health and safety initiative described by Section
26 34.0156 as an indicator of quality for commission data and medical
27 assistance quality-based payment purposes.

1 (b) The department shall collaborate with the commission in
2 compiling available data and information needed to complete the
3 feasibility study.

4 (c) The commission shall include the commission's
5 determination from the feasibility study in the report required by
6 Section 34.0155.

7 (d) This section expires May 1, 2019.

8 SECTION 6. Section 34.018, Health and Safety Code, is
9 amended to read as follows:

10 Sec. 34.018. SUNSET PROVISION. The task force is subject to
11 Chapter 325, Government Code (Texas Sunset Act). Unless continued
12 in existence as provided by that chapter, the task force is
13 abolished and this chapter expires September 1, 2023 [~~2019~~].

14 SECTION 7. Subchapter D, Chapter 1001, Health and Safety
15 Code, is amended by adding Section 1001.0712 to read as follows:

16 Sec. 1001.0712. CAUSE OF DEATH DATA IMPROVEMENT. (a) Not
17 later than December 1 of each even-numbered year, the department
18 shall submit to the governor, lieutenant governor, speaker of the
19 house of representatives, and appropriate standing committees of
20 the legislature a report on the processes and procedures for
21 collecting cause of death information, including any challenges to
22 collecting accurate information relating to maternal mortality.

23 (b) In preparing the report, the department may examine:

24 (1) issues relating to the quality of the death
25 information being collected, including the accuracy and
26 completeness of the information;

27 (2) the role of medical certifiers in death

1 information collection;

2 (3) the perceptions of the individuals collecting the
3 death information regarding the information's integrity;

4 (4) the training required for the individuals
5 collecting death information; and

6 (5) the structural, procedural, and technological
7 issues of collecting the information.

8 (c) The department, in consultation with the Maternal
9 Mortality and Morbidity Task Force, shall examine national
10 standards regarding the collection of death information and may
11 convene a panel of experts to advise the department and the task
12 force in developing recommendations for improving the collection of
13 accurate information related to cause of death.

14 (d) The report may be included as part of another report the
15 department is required to submit to the legislature.

16 (e) This section expires September 1, 2021.

17 SECTION 8. Not later than June 1, 2018, the Maternal
18 Mortality and Morbidity Task Force, in coordination with the
19 Department of State Health Services, shall make available the
20 information and educational materials described by Section
21 34.0055, Health and Safety Code, as added by this Act.

22 SECTION 9. If before implementing any provision of this Act
23 a state agency determines that an additional waiver or additional
24 authorization from a federal agency is necessary for implementation
25 of that provision, the agency affected by the provision shall
26 request the waiver or authorization and may delay implementing that
27 provision until the waiver or authorization is granted.

1 SECTION 10. This Act takes effect immediately if it
2 receives a vote of two-thirds of all the members elected to each
3 house, as provided by Section 39, Article III, Texas Constitution.
4 If this Act does not receive the vote necessary for immediate
5 effect, this Act takes effect on the 91st day after the last day of
6 the legislative session.