

AN ACT

relating to the content of an application for Medicaid and coverage for certain services related to maternal depression under the Medicaid and child health plan programs.

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

SECTION 1. Subchapter D, Chapter 62, Health and Safety Code, is amended by adding Section 62.1511 to read as follows:

Sec. 62.1511. COVERAGE FOR MATERNAL DEPRESSION SCREENING.

(a) In this section, "maternal depression" means depression of any severity with postpartum onset.

(b) The covered services under the child health plan must include a maternal depression screening for an enrollee's mother, regardless of whether the mother is also an enrollee, that is performed during a covered well-child or other office visit for the enrollee that occurs before the enrollee's first birthday.

(c) The executive commissioner shall adopt rules necessary to implement this section. The rules must be based on:

(1) clinical and empirical evidence concerning maternal depression; and

(2) information provided by relevant physicians and behavioral health organizations.

(d) The commission shall seek, accept, and spend any federal funds that are available for the purposes of this section, including priority funding authorized by Section 317L-1 of the

1 Public Health Service Act (42 U.S.C. Section 201 et seq.), as added
2 by the 21st Century Cures Act (Pub. L. No. 114-255).

3 SECTION 2. (a) Section 32.025, Human Resources Code, is
4 amended by adding Subsection (g) to read as follows:

5 (g) The application form adopted under this section must
6 include:

7 (1) for an applicant who is pregnant, a question
8 regarding whether the pregnancy is the woman's first gestational
9 pregnancy; and

10 (2) a question regarding the applicant's preferences
11 for being contacted, as follows:

12 "If you are determined eligible for benefits, your
13 managed care organization or health plan provider may contact you
14 by telephone, text message, or e-mail about health care matters,
15 including reminders for appointments and information about
16 immunizations or well check visits. All preferred methods of
17 contact listed on this application will be shared with your managed
18 care organization or health plan provider. Please indicate below
19 your preferred methods of contact in order of preference, with the
20 number 1 being the most preferable method:

21 (1) By telephone (if contacted by cellular telephone,
22 the call may be autodialed or prerecorded, and your carrier's usage
23 rates may apply)? Yes No

24 Telephone number: _____

25 Order of preference: 1 2 3 (circle a number)

26 (2) By text message (a free autodialed service, but
27 your carrier may charge message and data rates)? Yes No

1 Cellular telephone number: _____
2 Order of preference: 1 2 3 (circle a number)
3 (3) By e-mail? Yes No
4 E-mail address: _____
5 Order of preference: 1 2 3 (circle a number)".

6 (b) Not later than January 1, 2018, the executive
7 commissioner of the Health and Human Services Commission shall
8 adopt a revised application form for medical assistance benefits
9 that conforms to the requirements of Section 32.025(g), Human
10 Resources Code, as added by this section.

11 SECTION 3. Subchapter B, Chapter 32, Human Resources Code,
12 is amended by adding Section 32.0561 to read as follows:

13 Sec. 32.0561. MATERNAL DEPRESSION SCREENING. (a) In this
14 section, "maternal depression" means depression of any severity
15 with postpartum onset.

16 (b) The commission shall provide medical assistance
17 reimbursement for a maternal depression screening for a recipient's
18 mother, regardless of whether the mother is also a recipient, that
19 is performed during a covered examination for the recipient under
20 the Texas Health Steps Comprehensive Care Program that occurs
21 before the recipient's first birthday.

22 (c) The executive commissioner shall adopt rules necessary
23 to implement this section. The rules must be based on:

24 (1) clinical and empirical evidence concerning
25 maternal depression; and

26 (2) information provided by relevant physicians and
27 behavioral health organizations.

1 (d) The commission shall seek, accept, and spend any federal
2 funds that are available for the purposes of this section,
3 including priority funding authorized by Section 317L-1 of the
4 Public Health Service Act (42 U.S.C. Section 201 et seq.), as added
5 by the 21st Century Cures Act (Pub. L. No. 114-255).

6 SECTION 4. If before implementing any provision of this Act
7 a state agency determines that a waiver or authorization from a
8 federal agency is necessary for implementation of that provision,
9 the agency affected by the provision shall request the waiver or
10 authorization and may delay implementing that provision until the
11 waiver or authorization is granted.

12 SECTION 5. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 2466 was passed by the House on May 6, 2017, by the following vote: Yeas 135, Nays 7, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2466 on May 25, 2017, by the following vote: Yeas 145, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2466 was passed by the Senate, with amendments, on May 23, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor