

By: Sherman, Sr.

H.B. No. 259

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the establishment of subcommittees within the Texas  
3 Maternal Mortality and Morbidity Review Committee to study maternal  
4 mortality.

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

6 SECTION 1. Chapter 34, Health and Safety Code, is amended by  
7 adding Sections 34.022, 34.023, and 34.024 to read as follows:

8 Sec. 34.022. SUBCOMMITTEE ON MATERNAL HEALTH DISPARITIES.

9 (a) In this section, "subcommittee" means the subcommittee on  
10 maternal health disparities established under this section.

11 (b) The department and the review committee shall  
12 establish, within the review committee, a subcommittee on maternal  
13 health disparities to:

14 (1) study maternal mortality rates among women in this  
15 state; and

16 (2) develop and provide recommendations to the  
17 department and the review committee on improving maternal health  
18 outcomes.

19 (c) The subcommittee is composed of a number of members who  
20 meet appropriate qualifications as determined by the department and  
21 review committee.

22 (d) A member of the subcommittee serves at the pleasure of  
23 the department and the review committee.

24 (e) The members of the subcommittee shall elect a presiding

1 officer from among the membership of the subcommittee.

2 (f) The subcommittee may accept gifts, grants, and  
3 donations from any source to carry out the subcommittee's duties  
4 imposed under this section.

5 (g) The subcommittee is abolished and this section expires  
6 September 1, 2031.

7 Sec. 34.023. SUBCOMMITTEE ON MATERNAL HEALTH DISPARITIES  
8 FOR BLACK WOMEN. (a) In this section, "subcommittee" means the  
9 subcommittee on maternal health disparities for black women  
10 established under this section.

11 (b) The department and the review committee shall  
12 establish, within the review committee, a subcommittee on maternal  
13 health disparities for black women to:

14 (1) study maternal mortality rates for black women in  
15 this state and any related disparities; and

16 (2) develop and provide recommendations to the  
17 department and the review committee on improving maternal health  
18 outcomes among black women in this state.

19 (c) The subcommittee is composed of 11 members appointed by  
20 the department and the review committee as follows:

21 (1) three licensed obstetricians or gynecologists  
22 certified by the American Board of Obstetrics and Gynecology, each  
23 with 15 or more years of experience in either field and a patient  
24 base consisting of not less than 25 percent of individuals who are  
25 members of a racial minority;

26 (2) one primary care physician with 15 or more years of  
27 experience in that field and whose expertise is in maternal health;

1           (3) one surgeon with 15 or more years of experience in  
2 that field and whose expertise is in maternal health;

3           (4) one anesthesiologist with 15 or more years of  
4 experience in that field and whose expertise is in maternal health;

5           (5) one licensed mental health professional with 15 or  
6 more years of experience in that field and whose expertise is in  
7 postpartum depression;

8           (6) one neonatologist;

9           (7) one perinatologist; and

10           (8) two individuals with relevant and appropriate  
11 expertise in maternal health.

12           (d) In making the appointments under Subsection (c)(1), the  
13 department and the review committee shall ensure:

14           (1) one member is an obstetrician or gynecologist with  
15 10 or more years of experience specializing in the field of  
16 neonatology;

17           (2) one member is an obstetrician or gynecologist with  
18 10 or more years of experience specializing in the field of  
19 perinatology; and

20           (3) one member is an obstetrician or gynecologist with  
21 experience working at a community hospital as an obstetrician or  
22 gynecologist for less than nine years.

23           (e) The members of the subcommittee shall elect a presiding  
24 officer from among the membership of the subcommittee.

25           (f) The department and the review committee shall fill a  
26 vacancy on the subcommittee by appointing a person who has the same  
27 qualifications as required for the original appointee.

1       (g) A member of the subcommittee is not entitled to  
2 compensation for service on the subcommittee but is entitled to  
3 reimbursement for actual and necessary expenses incurred in  
4 performing subcommittee duties authorized by the presiding  
5 officer, provided funding is available for that purpose.

6       (h) The subcommittee shall meet at least quarterly and at  
7 other times at the call of the presiding officer.

8       (i) Notwithstanding Chapter 551, Government Code, or any  
9 other law, the subcommittee may meet by telephone conference call,  
10 videoconference, or other similar telecommunication method. A  
11 meeting held by telephone conference call, videoconference, or  
12 other similar telecommunication method is subject to the  
13 requirements of Sections 551.125(c), (d), (e), and (f), Government  
14 Code.

15       (j) The subcommittee may accept gifts, grants, and  
16 donations from any source to carry out the subcommittee duties  
17 imposed under this section.

18       (k) Chapter 2110, Government Code, does not apply to the  
19 subcommittee established under this section.

20       (l) The subcommittee established under this section and  
21 this section expire on September 1, 2031.

22       Sec. 34.024. BIENNIAL REPORTS; IMPLEMENTATION OF CERTAIN  
23 RECOMMENDATIONS. (a) Not later than September 1 of each  
24 even-numbered year, the subcommittees established under Sections  
25 34.022 and 34.023 shall each prepare and submit to each member of  
26 the legislature, the department, and the review committee a report  
27 that:

1           (1) includes the results of the study conducted by  
2 each subcommittee and recommendations for legislative or  
3 regulatory action based on those results; and

4           (2) examines and considers any trends or changes in  
5 maternal health.

6           (b) To the extent permitted by law and as the executive  
7 commissioner determines appropriate, the commission shall  
8 implement any regulatory recommendations included in a report under  
9 this section that are within the commission's prescribed authority.

10          (c) This section expires September 1, 2031.

11          SECTION 2. Not later than February 1, 2022, the Department  
12 of State Health Services and the Texas Maternal Mortality and  
13 Morbidity Review Committee established under Chapter 34, Health and  
14 Safety Code, shall establish and appoint members to the  
15 subcommittees as required under Sections 34.022 and 34.023, Health  
16 and Safety Code, as added by this Act.

17          SECTION 3. This Act takes effect December 1, 2021.