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By:  Howard, Rose, Guerra H.B. No. 2333

Substitute the following for H.B. No. 2333:

By:  Klick C.S.H.B. No. 2333

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the home nursing visitation for newborn caregivers competitive grant program.

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

SECTION 1.  Chapter 32, Health and Safety Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. HOME NURSING VISITATION FOR NEWBORN CAREGIVERS GRANT PROGRAM

Sec. 32.201.  DEFINITIONS. In this subchapter:

(1)  "Commissioner" means the commissioner of the Department of Family and Protective Services.

(2)  "Department" means the Department of Family and Protective Services.

(3)  "Program" means the home nursing visitation for newborn caregivers grant program established under this subchapter.

(4)  "Service provider" means an entity that offers free of charge home nursing visits for newborn caregivers.

Sec. 32.202.  ESTABLISHMENT OF PROGRAM; RULES. (a) The department shall establish and administer within the department's prevention and early intervention services division a competitive grant program through which the department awards grants to eligible service providers to provide or expand home nursing visitation services for newborn caregivers.

(b)  The department shall award grants under the program to eligible service providers in a manner that ensures the grant recipients:

(1)  operate in multiple communities geographically distributed throughout this state;

(2)  have the capacity to offer home nursing visitation services to all newborn caregivers within a defined service area, including a birthing hospital service area, a municipality, or a county; and

(3)  commit to providing ongoing services to ultimately serve the communities' entire newborn population and provide the maximum possible health impact on that population.

(c)  The commissioner shall adopt rules as necessary to implement this subchapter.

Sec. 32.203.  SERVICE REQUIREMENTS. Home nursing visitation services funded by a grant awarded under this subchapter must:

(1)  be offered free of charge to all newborn caregivers, including foster and adoptive families, within the grant recipient's defined service area;

(2)  be voluntary and may not impose negative consequences on a newborn caregiver that chooses not to participate;

(3)  be provided by registered nurses in the newborn caregiver's home whenever possible, using telehealth services when necessary and feasible;

(4)  include an evidence-based assessment of the physical, social, and emotional factors affecting the health and safety of the newborn caregiver's family;

(5)  include at least one registered nurse visit to the newborn caregiver not later than six weeks postpartum or six weeks after the newborn is discharged from a newborn intensive care unit, with the opportunity to receive not more than three registered nurse visits as determined by the nurse's professional judgment;

(6)  provide to a newborn caregiver information and referrals tailored to the caregiver's needs, as identified by a home nursing visit, and support the caregiver in navigating needed services;

(7)  include a follow-up call to the newborn caregiver not later than three months after the last home nursing visit to assess success in referrals and family satisfaction and to close the case;

(8)  strictly adhere to an evidence-based service delivery model selected by the department in accordance with criteria set by the United States Department of Health and Human Services for an early childhood home visiting service delivery model, including any clinical, programmatic, and data collection requirements under the model;

(9)  strive to improve outcomes in one or more of the following categories:

(A)  reduction of child abuse and neglect;

(B)  child health;

(C)  maternal health;

(D)  reduction of family violence;

(E)  child development;

(F)  family economic self-sufficiency;

(G)  completion of maternal follow-up and well-child visits with health care providers;

(H)  appropriate use of a health care facility's emergency department; and

(I)  increased positive parenting practices;

(10)  require the home nursing visits to:

(A)  be offered in partnership with the newborn caregiver's attending obstetrician or gynecologist, maternal health provider, or birthing hospital, if applicable; and

(B)  begin not later than six weeks postpartum or six weeks after a newborn is discharged from a newborn intensive care unit; and

(11)  continue for a period of at least two years.

Sec. 32.204.  APPLICATION REQUIREMENTS. (a) A public or private entity, including a county, municipality, or other political subdivision of this state, may apply for a grant under this subchapter.

(b)  To apply for a grant, an applicant must submit a written application to the department on a form prescribed by commissioner rule in accordance with this section.

(c)  The application form must:

(1)  require the applicant to provide:

(A)  information on the number of births by hospital located in the defined service area in which the applicant proposes to operate; and

(B)  a description of existing services available to newborn caregivers in the community;

(2)  describe the processes the department uses to continually monitor and evaluate grant recipients under Section 32.208, including the grant recipient's obligations to:

(A)  collect and provide information requested by the department; and

(B)  adhere to the evidence-based model selected by the department;

(3)  require the applicant to outline the applicant's plan to collaborate and strengthen relationships with health care and social service providers to ensure the applicant's ability to effectively connect newborn caregivers and the caregivers' families to other community services when needed; and

(4)  describe the applicant's plan for enrolling newborn caregivers, including the applicant's partnerships with birthing hospitals and local maternal health care and pediatric health care providers.

Sec. 32.205.  GRANT AWARD REQUIREMENTS. In determining whether to award a grant to an applicant under this subchapter, the department shall consider the applicant's demonstrated capacity to provide home nursing visitation services to newborn caregivers in the defined service area in which the applicant proposes to provide services, which may be determined by considering:

(1)  the applicant's ability to:

(A)  participate in continued monitoring and performance evaluations under Section 32.208, including the applicant's ability to collect and provide information requested by the department;

(B)  comply with program standards; and

(C)  develop broad-based community support and leverage philanthropic support to implement or expand home nursing visitation services for newborn caregivers; and

(2)  the applicant's history of developing and sustaining innovative, quality home nursing visitation services for newborn caregivers that meet the needs of families and communities.

Sec. 32.206.  WRITTEN AGREEMENT WITH GRANT RECIPIENT REQUIRED. Before awarding a grant under this subchapter, the department shall enter into a written agreement with each applicant to be awarded a grant that requires the grant recipient to repay this state, in accordance with terms specified in the agreement, if:

(1)  the department determines the grant recipient has not complied with the minimum standards and reporting requirements prescribed by this subchapter or rules adopted under this subchapter or with any other applicable rules or standards prescribed by the commissioner or the department; or

(2)  the grant recipient fails to use the grant money for the purposes for which the grant was awarded, in accordance with Section 32.207.

Sec. 32.207.  USE OF GRANT MONEY. Grant money awarded under this subchapter may be used only to cover costs related to the grant recipient administering, implementing, or expanding home nursing visitation services for newborn caregivers, including costs related to:

(1)  administering the home nursing visitation services;

(2)  training and managing registered nurses and other staff who participate in providing the home nursing visitation services;

(3)  paying the salaries and expenses of registered nurses and other required staff members who are essential to delivering the home nursing visitation services;

(4)  paying for facilities and equipment for providing the home nursing visitation services; and

(5)  paying for technical assistance to ensure a grant recipient adheres to the evidence-based model selected by the department.

Sec. 32.208.  GRANT RECIPIENT MONITORING AND EVALUATION; ANNUAL REPORT. (a) The department shall:

(1)  adopt performance indicators designed to measure a grant recipient's performance with respect to the program standards adopted by commissioner rule that align with the evidence-based model selected by the department; and

(2)  use the performance indicators to continuously monitor and formally evaluate at least annually the performance of each grant recipient.

(b)  Not later than December 1 of each year, the department shall prepare and submit a written report to the standing committees of the legislature with primary jurisdiction over the department regarding the performance of each grant recipient during the preceding state fiscal year with respect to providing program services and improving outcomes for newborns and their families.

Sec. 32.209.  COMPETITIVE GRANT PROGRAM FUNDING. (a) The department shall seek and apply for any available federal and state money, including money available for Medicaid or the Children's Health Insurance Program (CHIP), to assist in financing the program.

(b)  The department shall consult, collaborate, and coordinate with health benefit plan issuers in this state, including Medicaid managed care organizations, to identify existing incentives and reimbursement strategies that could expand the program.

(c)  The department may solicit and accept gifts, grants, and donations to operate the program.

SECTION 2.  (a) As soon as practicable after the effective date of this Act, the Department of Family and Protective Services shall apply for any available federal money to finance the grant program established by Subchapter G, Chapter 32, Health and Safety Code, as added by this Act. If federal money is not available for that purpose and notwithstanding any provision of this Act, the department shall delay implementation of Subchapter G, Chapter 32, Health and Safety Code, as added by this Act, until federal money becomes available.

(b)  Not later than September 1, 2022, the Department of Family and Protective Services shall establish and implement the grant program established by Subchapter G, Chapter 32, Health and Safety Code, as added by this Act.

(c)  Not later than September 1, 2022, the commissioner of the Department of Family and Protective Services shall adopt rules necessary to implement Subchapter G, Chapter 32, Health and Safety Code, as added by this Act.

(d)  Not later than December 1, 2022, the Department of Family and Protective Services shall submit a written report to the standing committees of the legislature with primary jurisdiction over the department regarding the implementation and status of the grant program described by Subchapter G, Chapter 32, Health and Safety Code, as added by this Act.

(e)  Not later than December 1, 2023, the Department of Family and Protective Services shall submit the initial report required by Section 32.208, Health and Safety Code, as added by this Act.

SECTION 3.  This Act takes effect September 1, 2021.