

By: Ramos

H.B. No. 4549

A BILL TO BE ENTITLED

AN ACT

relating to minimum standards for pregnancy resource centers.

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

SECTION 1. Subtitle H, Title 2, Health and Safety Code, is amended by adding Chapter 174 to read as follows:

CHAPTER 174. PREGNANCY RESOURCE CENTERS

Sec. 174.001. DEFINITION. In this chapter, "pregnancy resource center" means an organization, including a pregnancy counseling organization, crisis pregnancy center, pregnancy care center, or pregnancy support center, that for a fee or free of charge provides pregnancy counseling or information but:

(1) does not perform abortions or make referrals to an abortion provider;

(2) does not provide or make referrals for comprehensive birth control services;

(3) is not licensed or certified by this state or the federal government to provide medical or health care services; and

(4) is not required to have a physician under contract to provide or directly supervise all health care services provided by the organization.

Sec. 174.002. MINIMUM STANDARDS. (a) The executive commissioner by rule shall prescribe minimum standards for pregnancy resource centers.

(b) The minimum standards must protect the health and safety

1 of a patient of a pregnancy resource center and contain provisions
2 requiring compliance with the requirements of Subchapter B, Chapter
3 171. On and after September 1, 2021, the minimum standards for a
4 pregnancy resource center must be equivalent to the minimum
5 standards adopted for ambulatory surgical centers under Section
6 243.010.

7 (c) Pregnancy resource centers must have at least one
8 licensed obstetrician or gynecologist present when providing
9 services to a patient.

10 (d) This section does not authorize the executive
11 commissioner to:

12 (1) establish the qualifications of a licensed health
13 care practitioner; or

14 (2) allow a person to provide health care services who
15 is not authorized to provide those services under other laws of this
16 state.

17 (e) A pregnancy resource center or health care practitioner
18 that violates this section is subject to disciplinary action by the
19 state agency that regulates the center or practitioner as if the
20 center or practitioner had violated the applicable licensing law.

21 SECTION 2. Not later than January 1, 2022, the executive
22 commissioner of the Health and Human Services Commission shall
23 adopt rules necessary to implement Chapter 174, Health and Safety
24 Code, as added by this Act.

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