

By: Seliger

S.B. No. 1520

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

(2) "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 commission shall establish and administer a competitive grant program under which the commission awards grants to eligible service providers to provide or expand home nursing visitation services for newborn caregivers.

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

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

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

5 (3) commit to continuing ongoing work to ultimately
6 serve the communities' entire newborn population to have the
7 maximum possible health impact on that population.

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

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

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

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

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

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

23 (5) include at least one registered nurse visit to the
24 newborn caregiver not later than six weeks postpartum or six weeks
25 after the newborn is discharged from a newborn intensive care unit,
26 whichever is later, with the opportunity for up to three total
27 registered nurse visits as determined by the nurse's professional

1 judgment;

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

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

10 (8) strictly adhere to an evidence-based service
11 delivery model, according to criteria set by the United States
12 Department of Health and Human Services for an early childhood home
13 visiting service delivery model, that is selected by the
14 commission, including any clinical, programmatic, and data
15 collection requirements of the model;

16 (9) aim to improve outcomes in one or more of the
17 following categories:

18 (A) reduction of child abuse and neglect;

19 (B) child health;

20 (C) maternal health;

21 (D) reduction of family violence;

22 (E) child development;

23 (F) family economic self-sufficiency;

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

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

1 (I) increase in positive parenting practices;

2 (10) require that home nursing visits:

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

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

9 (11) be provided for a period of at least two years.

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

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

17 (c) The application form must:

18 (1) require the applicant to provide:

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

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

24 (2) describe the processes the commission uses to
25 monitor and evaluate grant recipients on an ongoing basis under
26 Section 32.208, including the grant recipient's obligations to:

27 (A) collect and provide information requested by

1 the commission; and

2 (B) adhere to the evidence-based model selected
3 by the commission;

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

9 (4) describe the applicant's plan for enrolling
10 newborn caregivers, including how the applicant will partner with
11 birthing hospitals and local maternal health care and pediatric
12 health care providers.

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

19 (1) the applicant's ability to:

20 (A) participate in ongoing monitoring and
21 performance evaluations under Section 32.208, including the
22 applicant's ability to collect and provide information requested by
23 the commission;

24 (B) comply with program standards; and

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

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

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

11 (1) the commission determines the grant recipient has
12 not complied with the minimum standards and reporting requirements
13 prescribed by this subchapter or rules adopted under this
14 subchapter or with any other applicable rules or standards
15 prescribed by the executive commissioner or the commission; or

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

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

24 (1) administering the home nursing visitation
25 services;

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

1 services;

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

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

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

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

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

16 (2) use the performance indicators to continuously
17 monitor and formally evaluate on an annual basis the performance of
18 each grant recipient.

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

25 Sec. 32.209. COMPETITIVE GRANT PROGRAM FUNDING. (a) The
26 commission shall seek and apply for any available federal and state
27 money, including money available for Medicaid or the Children's

1 Health Insurance Program (CHIP), to assist in financing the
2 program.

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

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

10 SECTION 2. (a) As soon as practicable after the effective
11 date of this Act, the Health and Human Services Commission shall
12 apply for any available federal money to finance the grant program
13 established by Subchapter G, Chapter 32, Health and Safety Code, as
14 added by this Act.

15 (b) Not later than September 1, 2022, the Health and Human
16 Services Commission shall establish and implement the grant program
17 established by Subchapter G, Chapter 32, Health and Safety Code, as
18 added by this Act.

19 (c) Not later than September 1, 2022, the executive
20 commissioner of the Health and Human Services Commission shall
21 adopt rules necessary to implement Subchapter G, Chapter 32, Health
22 and Safety Code, as added by this Act.

23 (d) Not later than December 1, 2022, the Health and Human
24 Services Commission shall submit a written report to the standing
25 committees of the legislature with primary jurisdiction over the
26 commission regarding the implementation and status of the grant
27 program described by Subchapter G, Chapter 32, Health and Safety

1 Code, as added by this Act.

2 (e) Not later than December 1, 2023, the Health and Human
3 Services Commission shall submit the initial report required by
4 Section 32.208, Health and Safety Code, as added by this Act.

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