

By: Eckhardt

S.B. No. 1722

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to expanding access to women's health care services and  
3 family planning services by removing restrictions on the  
4 participation of certain health care providers.

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

6 SECTION 1. SHORT TITLE. This Act shall be known as the Free  
7 Choice of Provider Act.

8 SECTION 2. Subchapter A, Chapter 531, Government Code, is  
9 amended to read as follows:

10 Sec. 531.0025. ~~[RESTRICTIONS ON]~~ AWARDS TO FAMILY PLANNING  
11 SERVICE PROVIDERS. (a) Notwithstanding any other law, money  
12 appropriated to the commission ~~[Department of State Health~~  
13 ~~Services]~~ for the purpose of providing family planning services  
14 shall ~~[must]~~ be awarded:

15 (1) to eligible public and nonpublic entities that  
16 provide family planning services according to ~~[in]~~ the following  
17 order of descending priority:

18 (A) the demonstrated, evidence-based, historical  
19 ability of each entity to achieve the patient and service  
20 utilization goals of the family planning services, or ~~[public~~  
21 ~~entities that provide family planning services, including state,~~  
22 ~~county, and local community health clinics and federally qualified~~  
23 ~~health centers];~~

24 (B) the likelihood of the entity to meet patient

1 and service utilization goals based on standards set by the agency.  
2 ~~[nonpublic entities that provide comprehensive primary and~~  
3 ~~preventive care services in addition to family planning services,~~  
4 ~~and]~~

5 ~~[(C) nonpublic entities that provide family~~  
6 ~~planning services but do not provide comprehensive primary and~~  
7 ~~preventive care services, or]~~

8 ~~[(2) as otherwise directed by the legislature in the~~  
9 ~~General Appropriations Act.]~~

10 (b) The legislature shall not direct the commission to award  
11 money appropriated for the purpose of providing family planning  
12 services otherwise in the General Appropriations Act.

13 (c ~~b~~) Notwithstanding Subsections (a) and (b), the  
14 commission ~~[Department of State Health Services]~~ shall, in  
15 compliance with federal law, ensure distribution of funds for  
16 family planning services in a manner that provides equitable access  
17 to services in ~~[does not severely limit or eliminate access to those~~  
18 ~~services in any]~~ all regions of the state.

19 SECTION 3. The following laws are repealed:

20 (1) Chapter [2272](#), Government Code, as added by Chapter  
21 501 (S.B. 22), Acts of the 86th Legislature, Regular Session, 2019;

22 (2) Section [32.024\(c-1\)](#), Human Resources Code.

23 SECTION 3. To the extent of any conflict, this Act prevails  
24 over another Act of the 87th Legislature, Regular Session, 2021,  
25 relating to nonsubstantive additions to and corrections in enacted  
26 codes.

27 SECTION 4. This Act takes effect September 1, 2021.