

BILL ANALYSIS

Senate Research Center
88R29818 BDP-D

C.S.H.B. 1898
By: Jetton et al. (Kolkhorst)
Health & Human Services
5/19/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas children and youth face mental health struggles due in part to gaps in the continuum of children's mental health care. Certain children's hospitals are experiencing an increase in the number of children presenting with mental health issues and requiring treatment. When long delays occur in accessing care, children and adolescents come to children's hospitals' emergency departments in crisis.

H.B. 1898 seeks to address these issues by establishing a grant program at the Health and Human Services Commission (HHSC) to fund mental and behavioral health expansion at certain children's hospitals in order to increase the number of children who can be served. The bill authorizes an awarded grant to be used for planning, development, capital improvement, or transitional operating support in order to expand facilities to provide mental and behavioral health care services to children. It also requires HHSC to submit a biennial report to the legislature on the performance of the grant program, including the name of each grant recipient awarded a grant and the amount of the recipient's award during those fiscal years.

(Original Author's/Sponsor's Statement of Intent)

Committee substitute changes to H.B. 1898:

- Prohibits children's hospitals that treat gender dysphoria by providing services affirming a child's perception of the child's sex, if that perception is inconsistent with the child's biological sex, from being eligible to receive grant funding.
- Establishes a sunset date of September 1, 2025, for the grant program.

C.S.H.B. 1898 amends current law relating to a grant program to fund the provision by children's hospitals of mental and behavioral health services to children in this state.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 531, Government Code, by adding Section 531.09936, as follows:

Sec. 531.09936. GRANT PROGRAM TO FUND MENTAL AND BEHAVIORAL HEALTH SERVICES BY CERTAIN CHILDREN'S HOSPITALS. (a) Defines "children's hospital" and "grant program."

(b) Requires the Health and Human Services Commission (HHSC), if and to the extent money is specifically appropriated to HHSC for that purpose, to establish a grant program under which HHSC provides grants to children's hospitals that the hospitals are authorized to use, except as provided by Subsection (e), to directly provide mental and behavioral health services to children in this state.

(c) Authorizes a children's hospital to apply for a grant under the grant program in the form and manner prescribed by HHSC.

(d) Prohibits a grant recipient from using a grant awarded under the grant program to:

(1) reimburse an expense or pay a cost that a health benefit plan or other source, including Medicaid, is obligated to reimburse or pay by law or contract; or

(2) provide mental health services, including treatments or procedures, to a child that affirm the child's perception of the child's sex if that perception is inconsistent with the child's biological sex.

(e) Requires HHSC to monitor and evaluate the use of money awarded under the grant program to ensure compliance with this section.

(f) Requires HHSC, not later than December 1 of each even-numbered year, to submit a biennial report to the legislature on the performance of the grant program during the preceding two state fiscal years. Requires that the report include the name of each grant recipient awarded a grant under the program and the amount of the recipient's award during the fiscal years covered by the report.

(g) Provides that this section expires September 1, 2027.

SECTION 2. Effective date: September 1, 2023.