By: Johnson S.B. No. 609

A BILL TO BE ENTITLED

AN ACT

relating to a voluntary home nursing visitation program for newborns.

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. VOLUNTARY HOME NURSING VISITATION PROGRAM FOR NEWBORNS

Sec. 32.201. DEFINITIONS. In this subchapter:

(1) "Community" means a group of individuals within a geographic region or county, including a tribe or other group of individuals, living in proximity as determined by executive commissioner rule.

(2) "Program" means the voluntary statewide home nursing visitation program established by this subchapter.

Sec. 32.202. ESTABLISHMENT OF PROGRAM. (a) The commission shall design, implement, and maintain a voluntary statewide home nursing visitation program for all eligible individuals with newborns residing in this state to support healthy child development and strengthen families.

(b) In designing the program, the commission shall:

(1) ensure the program is flexible in meeting the needs of the communities in which the program operates; and

(2) as necessary, consult and collaborate with health

benefit plan issuers that offer health benefit plans in this state, hospitals, local public health authorities, existing early childhood home visitation programs, community-based organizations, and social service providers.

Sec. 32.203. PROGRAM ELIGIBILITY. To be eligible for participation in the program, an individual must apply to the commission in the form and manner prescribed by executive commissioner rule and:

(1) must be:

(A) 18 to 44 years of age; or

(B) 15 to 17 years of age and:

(i) have the disabilities of minority removed for general purposes under Chapter 31, Family Code; or

(ii) apply with the consent of the individual's parent, legal guardian, or managing conservator;

(2) must be a United States citizen or permanent legal resident;

(3) must be a resident of this state;

(4) may not have health benefit plan coverage that covers family planning services; and

(5) must have a monthly maximum family income in an amount that does not exceed 200 percent of the federal poverty level.

Sec. 32.204. PROGRAM REQUIREMENTS. The program must provide to eligible individuals home nursing visitation services that:

(1) are based on criteria established by the United

States Department of Health and Human Services for an evidence-based early childhood home visitation service delivery model;

(2) are provided by registered nurses licensed in this state to families of individuals caring for newborns up to six months of age, including foster and adoptive newborns;

(3) are provided in the individual's home;

(4) are focused on improving outcomes in one or more of the following:

(A) child health;

(B) child development and school readiness;

(C) family economic self-sufficiency;

(D) maternal health;

(E) positive parenting;

(F) reduction of child mistreatment;

(G) reduction of juvenile delinquency;

(H) reduction of family violence; and

(I) reduction of crime;

(5) are voluntary and do not impose negative consequences on an individual who participates or declines to participate;

(6) are offered in every community in this state;

(7) include an evidence-based assessment of the physical, social, and emotional factors affecting the individual's family;

(8) are offered to all individuals with newborns residing in the community in which the program operates and the

families of the individuals;

(9) include at least one visit before the newborn is three months old with the opportunity for not more than three additional visits;

(10) include a follow-up visit not later than the third month after the initial visit; and

(11) provide information and referrals to address each family's identified needs.

Sec. 32.205. PROGRAM ASSESSMENT; DATA SHARING. The commission shall:

(1) collect and analyze data generated by the program to assess the effectiveness of the program in improving the outcomes described by Section 32.204(4); and

(2) collaborate with other state agencies to develop protocols for sharing data, including the timely sharing of data with primary care providers who are providing care to the individuals with newborns receiving services under the program and their families.

SECTION 2. The executive commissioner of the Health and Human Services Commission shall adopt rules necessary to implement Subchapter G, Chapter 32, Health and Safety Code, as added by this Act, not later than January 1, 2024.

SECTION 3. The executive commissioner of the Health and Human Services Commission may apply to the United States secretary of health and human services to obtain a waiver under 42 U.S.C. Section 18052 to obtain federal financial participation in the cost of services provided under the voluntary statewide home nursing

visitation program established by Subchapter G, Chapter 32, Health and Safety Code, as added by this Act.

SECTION 4. This Act takes effect September 1, 2023.