

## **BILL ANALYSIS**

Senate Research Center  
89R9806 KRM-D

S.B. 1388  
By: Kolkhorst  
Health & Human Services  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In 2023, the Texas Legislature passed S.B. 24 to improve pregnancy and family intervention-focused programs and place them under one state agency. The bill codified the former "Alternatives to Abortion" program and renamed it "Thriving Texas Families."

Historically, the program provided grants to non-profit organizations that were contractually restricted from providing abortion services or affiliated with organizations that facilitated, referred, or advocated for abortion services.

For clarification and consistency S.B. 1388 ensures that the Thriving Texas Families program under Health and Safety Code Chapter 54 continues its pro-life mission and that organizations that have collaborations or legal connections to entities that promote abortion are not eligible for funding.

The bill also sets program guardrails to focus on the core mission. S.B. 1388 clarifies that government or private sector entities focused primarily on medical or mental healthcare are ineligible for Thriving Texas Families funds.

As proposed, S.B. 1388 amends current law relating to family support services provided under a Health and Human Services Commission program.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 6 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 54.001, Health and Safety Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, by amending Subdivision (2) and adding Subdivisions (3), (4), (5), and (6) to define "abortion services provider," "affiliate," "governmental entity," and "program."

SECTION 2. Amends Section 54.002, Health and Safety Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, by amending Subsections (a) and (d) and adding Subsection (f), as follows:

(a) Requires the Health and Human Services Commission (HHSC) to establish the Thriving Texas Families Program (program) as a continuation of the alternatives to abortion program to facilitate the operation of a statewide support network that provides certain services, including an alternative to abortion through life-affirming pregnancy, adoption, and parenting and family support services. Makes nonsubstantive changes.

(d) Requires HHSC, in developing the statewide network of service providers, to take certain actions, including ensuring that service providers are not associated with an abortion services provider and do not provide, refer patients to, advocate for, or promote abortion services by verifying the provider meets certain requirements. Makes nonsubstantive changes.

(f) Requires each network contractor and service provider to annually certify in writing to HHSC that the network contractor or service provider upholds the life-affirming mission of the program and is not involved in activities contradicting the program's objectives.

SECTION 3. Amends Sections 54.003(b) and (e), Health and Safety Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, as follows:

(b) Provides that services provided through the program include certain services, including assistance in identifying and applying for stable housing services other than housing provided as authorized by Subsection (d) (relating to authorizing a network contractor to provide housing services through a maternity home). Makes nonsubstantive changes.

(e) Prohibits HHSC or the network contractor from providing family planning or any abortion-related services through the network.

SECTION 4. Amends Section 54.006(b), Health and Safety Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, to require HHSC to seek comments from network providers in identifying, rather than to identify, indicators to measure the performance outcomes under Subsection (a) (relating to providing that HHSC and its network contractors are authorized to contract only with service providers whose performance outcomes include certain standards) and require periodic reporting on the outcomes by network contractors and participating service providers.

SECTION 5. Amends Section 54.011, Health and Safety Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, by amending Subsection (b) and adding Subsections (d) and (e), as follows:

(b) Prohibits HHSC or a service provider from taking certain actions relating to funds, including granting funds to an abortion provider, an affiliate of an abortion provider, or an abortion services provider. Makes a nonsubstantive change.

(d) Provides that an organization is not eligible for funding under Chapter 54 (Living Organ Donor Education Program) if the organization meets certain criteria.

(e) Provides that Subsection (d) does not apply to certain organizations.

SECTION 6. Requires the executive commissioner of HHSC, as soon as practicable after the effective date of this Act, to adopt rules as necessary to implement the changes in law made by this Act.

SECTION 7. Effective date: September 1, 2025.