

By: Plesa

H.B. No. 37

A BILL TO BE ENTITLED

AN ACT

relating to perinatal palliative care provided by certain hospitals, a perinatal palliative care grant program, and a perinatal palliative care hospital recognition program.

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

SECTION 1. Subtitle G, Title 4, Health and Safety Code, is amended by adding Chapter 328 to read as follows:

CHAPTER 328. PERINATAL PALLIATIVE CARE SERVICES

Sec. 328.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Health and Human Services Commission.

(2) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

(3) "Grant program" means the perinatal palliative care grant program established under Section 328.003.

(4) "Hospital" means a hospital licensed under Chapter 241.

(5) "Perinatal palliative care" means the provision of supportive care to reduce the suffering of parents and family members following a perinatal death or stillbirth.

(6) "Perinatal palliative care cooling device" means a medical device, including a blanket or cradle, with a cooling mechanism to slow naturally occurring changes to the body following death.

1 (7) "Recognition program" means the hospital
2 recognition program established under Section 328.004.

3 Sec. 328.002. PERINATAL PALLIATIVE CARE SERVICES REQUIRED
4 IN CERTAIN HOSPITALS. A hospital assigned a maternal level of care
5 designation under Section 241.182 shall, following a perinatal
6 death or stillbirth, make available to the expectant parents and
7 family members:

8 (1) perinatal palliative care counseling; and

9 (2) a perinatal palliative care cooling device.

10 Sec. 328.003. PERINATAL PALLIATIVE CARE GRANT PROGRAM. (a)
11 The executive commissioner by rule shall establish and the
12 commission shall administer a perinatal palliative care grant
13 program to improve the access to and quality of perinatal
14 palliative care in this state. The commission may award grants to
15 hospitals assigned a maternal level of care designation under
16 Section 241.182 for the hospital's provision of perinatal
17 palliative care.

18 (b) A hospital awarded money under the grant program may use
19 the money only for the reasonable costs, as determined by
20 commission rule, of:

21 (1) training hospital personnel who provide maternal
22 care on interacting with parents and family members in a
23 considerate and respectful manner following a perinatal death or
24 stillbirth; and

25 (2) obtaining and maintaining a perinatal palliative
26 care cooling device and training personnel on use of the device.

27 (c) The executive commissioner by rule shall establish

1 eligibility criteria and a scoring system for awarding grants under
2 the grant program to hospitals assigned a maternal level of care
3 designation under Section 241.182.

4 (d) The commission may accept gifts, grants, and donations
5 from any source for the purposes of the grant program.

6 Sec. 328.004. HOSPITAL RECOGNITION PROGRAM. The executive
7 commissioner by rule, in collaboration with the Palliative Care
8 Interdisciplinary Advisory Council established under Chapter 118,
9 shall:

10 (1) develop and implement a program to recognize
11 hospitals assigned a maternal level of care designation under
12 Section 241.182 that provide perinatal palliative care training to
13 hospital personnel; and

14 (2) adopt criteria for awarding recognition to a
15 hospital under the recognition program.

16 SECTION 2. As soon as practicable after the effective date
17 of this Act, the executive commissioner of the Health and Human
18 Services Commission shall adopt rules to implement Chapter 328,
19 Health and Safety Code, as added by this Act.

20 SECTION 3. This Act takes effect September 1, 2025.