

1-1 By: Plesa, et al. (Senate Sponsor - Huffman) H.B. No. 37
1-2 (In the Senate - Received from the House April 24, 2025;
1-3 April 28, 2025, read first time and referred to Committee on Health
1-4 & Human Services; May 9, 2025, reported favorably by the following
1-5 vote: Yeas 8, Nays 0; May 9, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Kolkhorst	X		
1-9	Perry	X		
1-10	Blanco	X		
1-11	Cook	X		
1-12	Hall	X		
1-13	Hancock	X		
1-14	Hughes		X	
1-15	Miles	X		
1-16	Sparks	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to perinatal bereavement care provided by certain
1-20 hospitals, a perinatal bereavement care initiative, and a perinatal
1-21 bereavement care hospital recognition program.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. This Act may be cited as Everly's Law in honor of
1-24 Everly Grace Talman, whose story inspired this legislation.

1-25 SECTION 2. Subtitle G, Title 4, Health and Safety Code, is
1-26 amended by adding Chapter 328 to read as follows:

1-27 CHAPTER 328. PERINATAL BEREAVEMENT CARE SERVICES

1-28 Sec. 328.001. DEFINITIONS. In this chapter:

1-29 (1) "Department" means the Department of State Health
1-30 Services.

1-31 (2) "Executive commissioner" means the executive
1-32 commissioner of the Health and Human Services Commission.

1-33 (3) "Hospital" means a hospital licensed under Chapter
1-34 241 or a teaching hospital, as defined by Section 58A.001,
1-35 Education Code.

1-36 (4) "Initiative" means the perinatal bereavement care
1-37 initiative established under Section 328.003.

1-38 (5) "Perinatal bereavement care" means the provision
1-39 of supportive care for a prenatal diagnosis of a life-limiting
1-40 fetal condition.

1-41 (6) "Perinatal bereavement device" means a device with
1-42 technology capable of delaying for bereavement purposes the
1-43 deterioration of human tissue for up to 72 hours following an
1-44 intrauterine fetal demise, neonatal death, or stillbirth.

1-45 (7) "Recognition program" means the hospital
1-46 recognition program established under Section 328.004.

1-47 Sec. 328.002. PERINATAL BEREAVEMENT CARE SERVICES REQUIRED
1-48 IN CERTAIN HOSPITALS. A hospital assigned a maternal level of care
1-49 designation under Section 241.182 shall, following an intrauterine
1-50 fetal demise, neonatal death, or stillbirth, make available to the
1-51 expectant parents and family members for a period equal to the
1-52 length of stay recommended by a medical professional for a birth:

1-53 (1) perinatal bereavement care counseling options;
1-54 and

1-55 (2) any available perinatal bereavement device.

1-56 Sec. 328.003. PERINATAL BEREAVEMENT CARE INITIATIVE. (a)
1-57 The department shall establish and administer a perinatal
1-58 bereavement care initiative to improve access to and quality of
1-59 perinatal bereavement care in this state.

1-60 (b) Under the initiative, the department may provide to
1-61 hospitals assigned a maternal level of care designation under

Section [241.182](#) the following resources for the hospital's provision of perinatal bereavement care:

(1) for hospital personnel who provide maternal care, training on interacting with parents and family members in a considerate and respectful manner following an intrauterine fetal demise, neonatal death, or stillbirth;

(2) a perinatal bereavement device, including:

(A) training for personnel on the use of the device; and

(B) support to maintain the device; and

(3) any other resources necessary for providing perinatal bereavement care.

(c) In providing resources to hospitals under the initiative, the department shall prioritize hospitals that:

(1) lack access to a perinatal bereavement device;

(2) treat a greater number of high-risk maternal patients; and

(3) deliver a greater number of babies.

(d) The department, as appropriate and using money appropriated or otherwise available for that purpose, may award grants under the initiative to hospitals assigned a maternal level of care designation under Section [241.182](#) to increase access to perinatal bereavement care resources.

(e) The department may accept gifts, grants, and donations from any source for the purposes of the initiative.

Sec. 328.004. HOSPITAL RECOGNITION PROGRAM. The executive commissioner, in collaboration with the Perinatal Advisory Council established under Section [241.187](#), shall:

(1) develop and implement a program to recognize hospitals assigned a maternal level of care designation under Section [241.182](#) that provide perinatal bereavement care training to hospital personnel; and

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

SECTION 3. As soon as practicable after the effective date of this Act, the executive commissioner of the Health and Human Services Commission may adopt the rules necessary to implement Chapter 328, Health and Safety Code, as added by this Act.

SECTION 4. This Act takes effect September 1, 2025.

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