

By: Johnson

H.B. No. 1011

A BILL TO BE ENTITLED

AN ACT

relating to required screenings for pediatric feeding disorder for students with certain disabilities and to the individualized education programs for certain public school students with pediatric feeding disorder.

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

SECTION 1. Section 29.005, Education Code, is amended by adding Subsection (e-1) to read as follows:

(e-1) The commissioner by rule shall require a school district to include in the individualized education program of a student with pediatric feeding disorder, as determined by the results of a screening required under Section 29.023:

(1) a safe feeding and swallowing plan that specifies individualized strategies that promote safe, efficient, and adequate nutrition and hydration for the student while on a school campus, including, as determined necessary for the student:

(A) the level of support that the student requires during feeding;

(B) the appropriate feeding environment for the student;

(C) the student's dietary modifications or accommodations, including food allergies;

(D) the student's cultural dietary restrictions;

(E) the appropriate positioning of the student

during feeding;

(F) the equipment necessary for food preparation  
and feeding;

(G) the appropriate feeding techniques; or

(H) any precautions, including emergency  
procedures; and

(2) any information or requirement determined  
necessary to ensure the student receives a free appropriate public  
education as required under the Individuals with Disabilities  
Education Act (20 U.S.C. Section 1400 et seq.).

SECTION 2. Subchapter A, Chapter 29, Education Code, is  
amended by adding Section 29.023 to read as follows:

Sec. 29.023. PEDIATRIC FEEDING DISORDER SCREENING. (a) In  
this section, "pediatric feeding disorder" means impaired oral  
intake that is not age appropriate and is associated with medical,  
nutritional, feeding skill, or psychological dysfunction that  
requires intervention through an individualized safe feeding and  
swallowing plan.

(b) Each school district shall ensure that a student who is  
eligible to receive special education services under this  
subchapter and presents with a feeding or swallowing concern is  
screened or rescreened for pediatric feeding disorder in accordance  
with rules adopted for that purpose under Section 36.004, Health  
and Safety Code.

(c) A school district may coordinate with the Department of  
State Health Services in developing a pediatric feeding disorder  
screening program under this section and may receive assistance

1 from the department under Section 36.004, Health and Safety Code.

2 SECTION 3. Section 36.003, Health and Safety Code, is  
3 amended by adding Subdivision (2-a) to read as follows:

4 (2-a) "Pediatric feeding disorder" means impaired oral  
5 intake that is not age appropriate and is associated with medical,  
6 nutritional, feeding skill, or psychological dysfunction that  
7 requires intervention through an individualized safe feeding and  
8 swallowing plan.

9 SECTION 4. Section 36.004, Health and Safety Code, is  
10 amended by adding Subsections (b-2) and (b-3) to read as follows:

11 (b-2) The rules must include screening and rescreening  
12 requirements for pediatric feeding disorder for any individual who  
13 is eligible to receive special education services under Subchapter  
14 A, Chapter 29, Education Code, and presents with a feeding or  
15 swallowing concern.

16 (b-3) A screening or rescreening required under Subsection  
17 (b-2) must be conducted by a group of professionals with experience  
18 in assessing pediatric feeding disorder, which may include any of  
19 the following:

- 20 (1) a speech-language pathologist;
- 21 (2) an occupational therapist;
- 22 (3) a nurse;
- 23 (4) a parent of the individual screened;
- 24 (5) a teacher;
- 25 (6) a physical therapist;
- 26 (7) a dietitian;
- 27 (8) a physician;

1           (9) a social worker; or

2           (10) a psychologist.

3           SECTION 5. Section 29.023, Education Code, as added by this  
4 Act, applies beginning with the 2025-2026 school year.

5           SECTION 6. As soon as practicable after the effective date  
6 of this Act, the executive commissioner of the Health and Human  
7 Services Commission shall adopt or amend rules as necessary to  
8 comply with Sections 36.004(b-2) and (b-3), Health and Safety Code,  
9 as added by this Act.

10          SECTION 7. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2025.