

1-1 By: Johnson, et al. H.B. No. 3940
 1-2 (Senate Sponsor - Paxton, et al.)
 1-3 (In the Senate - Received from the House May 12, 2025;
 1-4 May 13, 2025, read first time and referred to Committee on Health &
 1-5 Human Services; May 23, 2025, reported favorably by the following
 1-6 vote: Yeas 9, Nays 0; May 23, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to the provision of certain information about Medicaid
 1-21 benefits in relation to newborn children.

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

1-23 SECTION 1. Subchapter B, Chapter 32, Human Resources Code,
 1-24 is amended by adding Section 32.0631 to read as follows:

1-25 Sec. 32.0631. ANNUAL NOTICE TO CERTAIN PROVIDERS REGARDING
 1-26 USE OF MEDICAID IDENTIFICATION NUMBERS WITH RESPECT TO NEWBORN
 1-27 CHILDREN. The commission shall annually provide written notice to
 1-28 each managed care organization and health care provider, including
 1-29 hospitals and other health care facilities participating in
 1-30 Medicaid that regularly provide health care services to medical
 1-31 assistance recipients who are pregnant women or newborn children:

1-32 (1) reminding the organizations and providers that
 1-33 when a newborn child of a recipient has not been assigned a Medicaid
 1-34 identification number, the provider may accept or use the
 1-35 recipient's Medicaid identification number on any claim for
 1-36 reimbursement under Medicaid; and

1-37 (2) encouraging organizations and providers to
 1-38 educate recipients who are mothers or the prospective mothers of
 1-39 newborn children that the recipient may use the recipient's
 1-40 Medicaid identification number until the recipient's newborn child
 1-41 is enrolled in Medicaid.

1-42 SECTION 2. Section 161.501(a), Health and Safety Code, is
 1-43 amended to read as follows:

1-44 (a) A hospital, birthing center, physician, nurse midwife,
 1-45 or midwife who provides prenatal care to a pregnant woman during
 1-46 gestation or at delivery of an infant shall:

1-47 (1) provide the woman and the father of the infant, if
 1-48 possible, or another adult caregiver for the infant, with a
 1-49 resource pamphlet that includes:

1-50 (A) a list of the names, addresses, and phone
 1-51 numbers of professional organizations that provide postpartum
 1-52 counseling and assistance to parents relating to postpartum
 1-53 depression and other emotional trauma associated with pregnancy and
 1-54 parenting;

1-55 (B) information regarding the prevention of
 1-56 shaken baby syndrome including:

1-57 (i) techniques for coping with anger caused
 1-58 by a crying baby;

1-59 (ii) different methods for preventing a
 1-60 person from shaking a newborn, infant, or other young child;

1-61 (iii) the dangerous effects of shaking a

2-1 newborn, infant, or other young child; and
 2-2 (iv) the symptoms of shaken baby syndrome
 2-3 and who to contact, as recommended by the American Academy of
 2-4 Pediatrics, if a parent suspects or knows that a baby has been
 2-5 shaken in order to receive prompt medical treatment;
 2-6 (C) a list of diseases for which a child is
 2-7 required by state law to be immunized and the appropriate schedule
 2-8 for the administration of those immunizations;
 2-9 (D) the appropriate schedule for follow-up
 2-10 procedures for newborn screening;
 2-11 (E) information regarding sudden infant death
 2-12 syndrome, including current recommendations for infant sleeping
 2-13 conditions to lower the risk of sudden infant death syndrome;
 2-14 (F) educational information in both English and
 2-15 Spanish on:
 2-16 (i) pertussis disease and the availability
 2-17 of a vaccine to protect against pertussis, including information on
 2-18 the Centers for Disease Control and Prevention recommendation that
 2-19 parents receive Tdap during the postpartum period to protect
 2-20 newborns from the transmission of pertussis; and
 2-21 (ii) the incidence of cytomegalovirus,
 2-22 birth defects caused by congenital cytomegalovirus, and available
 2-23 resources for the family of an infant born with congenital
 2-24 cytomegalovirus; ~~and~~
 2-25 (G) the danger of heatstroke for a child left
 2-26 unattended in a motor vehicle; and
 2-27 (H) information about Medicaid benefits for
 2-28 children, including eligibility requirements and the process for
 2-29 applying for those benefits;
 2-30 (2) if the woman is a recipient of medical assistance
 2-31 under Chapter 32, Human Resources Code, provide the woman and the
 2-32 father of the infant, if possible, or another adult caregiver with:
 2-33 (A) a resource guide that includes information in
 2-34 both English and Spanish relating to the development, health, and
 2-35 safety of a child from birth until age five, including information
 2-36 relating to:
 2-37 (i) ~~(A)~~ selecting and interacting with a
 2-38 primary health care practitioner and establishing a "medical home"
 2-39 for the child;
 2-40 (ii) ~~(B)~~ dental care;
 2-41 (iii) ~~(C)~~ effective parenting;
 2-42 (iv) ~~(D)~~ child safety;
 2-43 (v) ~~(E)~~ the importance of reading to a
 2-44 child;
 2-45 (vi) ~~(F)~~ expected developmental
 2-46 milestones;
 2-47 (vii) ~~(G)~~ health care resources
 2-48 available in the state;
 2-49 (viii) ~~(H)~~ selecting appropriate child
 2-50 care; ~~and~~
 2-51 (ix) ~~(I)~~ other resources available in the
 2-52 state; and
 2-53 (x) how to contact the commission to report
 2-54 the child's birth for the purpose of enrolling the newborn child in
 2-55 Medicaid; and
 2-56 (B) a written notice developed by the commission
 2-57 informing the woman, father, or other caregiver that the newborn
 2-58 child is automatically eligible for Medicaid and that the woman's
 2-59 Medicaid identification number may be used on reimbursement claims
 2-60 for services provided to the woman's newborn child until the child
 2-61 is enrolled in Medicaid and assigned a separate Medicaid
 2-62 identification number;
 2-63 (3) document in the woman's record that the woman
 2-64 received the resource pamphlet described in Subdivision (1) and the
 2-65 resource guide and notice described in Subdivision (2), if
 2-66 applicable; and
 2-67 (4) retain the documentation for at least five years
 2-68 in the hospital's, birthing center's, physician's, nurse midwife's,
 2-69 or midwife's records.

3-1 SECTION 3. (a) Not later than December 1, 2025:
3-2 (1) the Department of State Health Services shall
3-3 include the information required by Sections 161.501(a)(1)(H) and
3-4 (a)(2)(A)(x), Health and Safety Code, as added by this Act, in the
3-5 informational materials required by that section; and
3-6 (2) the Health and Human Services Commission shall
3-7 develop the notice required by Section 161.501(a)(2)(B), Health and
3-8 Safety Code, as added by this Act.
3-9 (b) Notwithstanding Section 161.501(a), Health and Safety
3-10 Code, as amended by this Act, a hospital, birthing center,
3-11 physician, nurse midwife, or midwife who provides prenatal care to
3-12 a pregnant woman during gestation or at delivery of an infant is not
3-13 required to comply with that provision until January 1, 2026.
3-14 SECTION 4. This Act takes effect September 1, 2025.

3-15

* * * * *