

By: Vo

H.B. No. 5242

A BILL TO BE ENTITLED

AN ACT

relating to the categorization, collection, and publication of demographic and other information pertaining to certain public benefits programs.

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

SECTION 1. Subchapter A, Chapter 526, Government Code, as effective April 1, 2025, is amended by adding Sections 526.0011 and 526.0012 to read as follows:

Sec. 526.0011. COLLECTION OF DEMOGRAPHIC DATA. (a)  
Subject to Subsection (e) and notwithstanding any other law, if the  
commission or a health and human services agency collects the  
demographic data of individuals who receive benefits under a health  
benefits program administered by the commission or agency, as  
applicable, the commission or agency, as applicable, shall, when  
collecting data relating to the race or ethnic origin of an  
individual, provide the individual the option to select or identify  
appropriate categories and subcategories of race and ethnic origin,  
including:

(1) American Indian or Alaska Native, with a write-in  
box to state the specific group with which the person identifies,  
such as Navajo Nation, Blackfeet Tribe of the Blackfeet Indian  
Reservation of Montana, Native Village of Barrow Inupiat  
Traditional Government, Nome Eskimo Community, Aztec, Maya, or any  
other subcategory with which the person identifies;

1           (2) Asian, including the following subcategories:

2                   (A) Asian Indian;

3                   (B) Chinese;

4                   (C) Filipino;

5                   (D) Korean;

6                   (E) Pakistani;

7                   (F) Vietnamese; and

8                   (G) other, with a write-in box to state any other  
9 Asian subcategory with which the person identifies, such as Hmong,  
10 Afghan, or Japanese;

11           (3) Black or African American, including the following  
12 subcategories:

13                   (A) African American;

14                   (B) Ethiopian;

15                   (C) Haitian;

16                   (D) Jamaican;

17                   (E) Nigerian;

18                   (F) Somali; and

19                   (G) other, with a write-in box to state any other  
20 Black or African American subcategory with which the person  
21 identifies, such as Trinidadian, Tobagonian, Ghanian, or  
22 Congolese;

23           (4) Hispanic or Latino, including the following  
24 subcategories:

25                   (A) Cuban;

26                   (B) Dominican;

27                   (C) Guatemalan;

1                   (D) Mexican;

2                   (E) Puerto Rican;

3                   (F) Salvadoran; and

4                   (G) other, with a write-in box to state any other

5 Hispanic or Latino subcategory with which the person identifies,

6 such as Colombian, Honduran, or Spaniard;

7                   (5) Middle Eastern or North African, including the  
8 following subcategories:

9                   (A) Egyptian;

10                  (B) Iranian;

11                  (C) Iraqi;

12                  (D) Israeli;

13                  (E) Lebanese;

14                  (F) Syrian; and

15                  (G) other, with a write-in box to state any other

16 Middle Eastern or North African subcategory with which the person

17 identifies, such as Moroccan, Yemeni, or Kurdish;

18                  (6) Native Hawaiian or Pacific Islander, including the  
19 following subcategories:

20                  (A) Chamorro;

21                  (B) Fijian;

22                  (C) Marshallese;

23                  (D) Native Hawaiian;

24                  (E) Samoan;

25                  (F) Tongan; and

26                  (G) other, with a write-in box to state any other

27 Native Hawaiian or Pacific Islander subcategory with which the

person identifies, such as Chuukese, Palauan, or Tahitian; and

(7) White, including the following subcategories:

(A) English;

(B) German;

(C) Irish;

(D) Italian;

(E) Polish;

(F) Scottish; and

(G) other, with a write-in box to state any other

White subcategory with which the person identifies, such as French, Swedish, or Norwegian.

(b) The commission shall ensure that each local entity, including a local governmental entity, responsible for providing demographic data to the commission or a health and human services agency in connection with a public benefits program administered by the commission or agency, as applicable, provides the data in the manner prescribed by this section.

(c) In collecting demographic data, the commission and each health and human services agency shall provide individuals from whom the data is sought the option to:

(1) select more than one category for race or ethnic origin;

(2) select more than one subcategory for race or ethnic origin; and

(3) write in a race or ethnic origin not listed.

(d) The provision of demographic data under this section by an individual is voluntary.

1       (e) Not later than the first anniversary of the date the  
2 federal decennial census is published, the commission shall update  
3 the subcategories of race or ethnic origin to include only the  
4 subcategories with populations larger than 7,500 as published by  
5 the United States Census Bureau, except that each category must  
6 include at least the six largest subcategories.

7       (f) The executive commissioner shall adopt rules necessary  
8 to implement this section.

9       Sec. 526.0012. COLLECTION AND CROSS-TABULATION ANALYSIS OF  
10 CERTAIN DATA; PUBLICATION. (a) The commission and each health and  
11 human services agency that administers a public benefits program  
12 shall collect the following data regarding individuals who receive,  
13 or were receiving at the time of the individual's death, benefits  
14 under a program:

15               (1) the individual's level of English proficiency; and

16               (2) whether the individual:

17                       (A) has a disability;

18                       (B) has health benefits coverage;

19                       (C) has been diagnosed with a chronic condition,  
20 including cancer, obesity, diabetes, or asthma;

21                       (D) has access to health care, including  
22 preventive care services;

23                       (E) has a diagnosed mental health disorder;

24                       (F) is or has been pregnant;

25                       (G) died as a result of a pregnancy-related  
26 cause; and

27                       (H) had a child who died as an infant.

1        (b) To the extent permitted by federal law and if requested  
2 by the commission, a local entity, including a local governmental  
3 entity, responsible for providing demographic data to the  
4 commission or a health and human services agency in connection with  
5 a public benefits program administered by the commission or agency,  
6 as applicable, shall report to the commission the data described by  
7 Subsection (a) to the extent that data is known or obtainable by the  
8 entity.

9        (c) The commission shall prepare a cross-tabulation  
10 analysis of the data described by Subsection (a) and the  
11 demographic data collected under Section 526.0011. The analysis  
12 conducted under this subsection must consider subcategories,  
13 including those provided by individuals as a write-in option.

14        (d) Subject to Subsection (f) and to the extent permitted by  
15 federal law, the commission shall make available to the public on  
16 its Internet website in an easy-to-read format metric data obtained  
17 as the result of the cross-tabulation analysis conducted under this  
18 section and organized by the demographic data collected in  
19 accordance with Section 526.0011. The metric data published under  
20 this section must be organized by category and then by subcategory,  
21 including those provided by individuals as a write-in option, as  
22 applicable.

23        (e) The commission shall annually update the metric data  
24 published under Subsection (d).

25        (f) The storage and communication of data under this section  
26 must comply with existing federal and state privacy laws governing  
27 individually identifiable information. Data made available to the

1 public under this section may not identify or allow for the  
2 identification of individuals.

3 (g) This section does not prevent a state agency from  
4 posting demographic data collected by the agency on the agency's  
5 Internet website.

6 (h) The executive commissioner shall adopt rules necessary  
7 to implement this section.

8 SECTION 2. Not later than January 1, 2028:

9 (1) the Health and Human Services Commission and each  
10 health and human services agency to which Sections 526.0011 and  
11 526.0012, Government Code, as added by this Act, apply shall revise  
12 the commission's or agency's data collection and reporting  
13 standards and forms as necessary to comply with those sections; and

14 (2) the Health and Human Services Commission shall  
15 publish on its Internet website the metric data required under  
16 Section 526.0012(d), Government Code, as added by this Act.

17 SECTION 3. If before implementing any provision of this Act  
18 a state agency determines that a waiver or authorization from a  
19 federal agency is necessary for implementation of that provision,  
20 the agency affected by the provision shall request the waiver or  
21 authorization and may delay implementing that provision until the  
22 waiver or authorization is granted.

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