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S.B. No. 1388

A BILL TO BE ENTITLED

AN ACT

relating to family support services provided under a Health and Human Services Commission program.

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

SECTION 1. Section 54.001, Health and Safety Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular Session, 2023, is amended by amending Subdivision (2) and adding Subdivisions (3), (4), (5), and (6) to read as follows:

(2) "Abortion services provider" means a person who provides abortion-related services, including:

(A) an abortion provider;

(B) a person who provides or refers an individual for abortion-inducing drugs for the purpose of inducing an abortion to terminate a pregnancy;

(C) a person who facilitates or funds travel to receive an abortion or abortion-related services;

(D) a person who provides information or education relating to abortion or abortion-related services; or

(E) a person who conducts any other activity related to providing, recommending, or advocating for abortion-related services.

(3) "Affiliate" means a person who enters into with another person a legal relationship created or governed by at least one written instrument, including a certificate of formation, a

1 franchise agreement, standards of affiliation, bylaws, or a
2 license, that demonstrates:

3 (A) common ownership, management, or control
4 between the parties to the relationship;

5 (B) a franchise granted by the person to the
6 affiliate; or

7 (C) the granting or extension of a license or
8 other agreement authorizing the affiliate to use the other person's
9 brand name, trademark, service mark, or other registered
10 identification mark.

11 (4) "Governmental entity" means this state or a state
12 agency or political subdivision of this state, including a court,
13 municipality, or county.

14 (5) "Network contractor" means a person who contracts
15 with the commission to provide or coordinate the provision of
16 services under this chapter.

17 (6) "Program" means the Thriving Texas Families
18 Program established under this chapter.

19 SECTION 2. Section 54.002, Health and Safety Code, as added
20 by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular
21 Session, 2023, is amended by amending Subsections (a) and (d) and
22 adding Subsection (f) to read as follows:

23 (a) The commission shall establish the Thriving Texas
24 Families Program as a continuation of the alternatives to abortion
25 program to facilitate the operation of a statewide support network
26 that provides:

27 (1) community outreach, consultation, and care

1 coordination for women with an unexpected pregnancy; and

2 (2) an alternative to abortion through life-affirming
3 pregnancy, adoption, and parenting and family support services.

4 (d) In developing the statewide network of service
5 providers, the commission shall:

6 (1) [7] to the extent practicable, contract with
7 providers who have a history of working with the commission in
8 programs similar to the program created by this chapter; and

9 (2) ensure that service providers are not associated
10 with an abortion services provider and do not provide, refer
11 patients to, advocate for, or promote abortion services by
12 verifying the provider:

13 (A) remains a legally separate entity from any
14 abortion services provider and does not enter into any legal
15 relationship with any abortion services provider;

16 (B) does not contract with or transfer any money,
17 through gift or payment, to an abortion services provider or
18 affiliate;

19 (C) does not share any employees or members of
20 its governing body with an abortion services provider or affiliate;

21 (D) does not recommend abortion as an option for
22 a client; and

23 (E) does not display or use the names or
24 trademarks of an abortion services provider in describing or naming
25 the provider under this program.

26 (f) Each network contractor and service provider shall
27 annually certify in writing to the commission that the network

1 contractor or service provider:

2 (1) upholds the life-affirming mission of the program;

3 and

4 (2) is not involved in activities contradicting the
5 program's objective of offering an alternative to abortion.

6 SECTION 3. Sections 54.003(b) and (e), Health and Safety
7 Code, as added by Chapter 1033 (S.B. 24), Acts of the 88th
8 Legislature, Regular Session, 2023, are amended to read as follows:

9 (b) Services provided through the program include:

10 (1) counseling and mentoring on pregnancy, education,
11 parenting skills, adoption services, life skills, and employment
12 readiness topics;

13 (2) care coordination for prenatal, perinatal, and
14 postnatal services, including connecting participants to health
15 services;

16 (3) educational materials and information about
17 pregnancy, parenting, and adoption services;

18 (4) referrals to governmental and social service
19 programs, including child care, transportation, housing, and state
20 and federal benefit programs;

21 (5) classes on life skills, personal finance,
22 parenthood, stress management, job training, job readiness, job
23 placement, and educational attainment;

24 (6) provision of supplies for infant care and
25 pregnancy, including car seats, cribs, maternity clothes, infant
26 diapers, and formula; ~~and~~

27 (7) housing services; and

1 (8) assistance in identifying and applying for stable
2 housing services other than housing provided as authorized by
3 Subsection (d).

4 (e) The commission or network contractors may not provide
5 family planning or any abortion-related services through the
6 network.

7 SECTION 4. Section 54.006(b), Health and Safety Code, as
8 added by Chapter 1033 (S.B. 24), Acts of the 88th Legislature,
9 Regular Session, 2023, is amended to read as follows:

10 (b) The commission shall seek comments from network
11 providers in identifying ~~[identify]~~ indicators to measure the
12 performance outcomes under Subsection (a) and require periodic
13 reporting on the outcomes by network contractors and participating
14 service providers.

15 SECTION 5. Section 54.011, Health and Safety Code, as added
16 by Chapter 1033 (S.B. 24), Acts of the 88th Legislature, Regular
17 Session, 2023, is amended by amending Subsection (b) and adding
18 Subsections (d) and (e) to read as follows:

19 (b) The commission or a service provider may not:

20 (1) use funding provided through the program to
21 perform, induce, assist, or refer an abortion; or

22 (2) grant funds to an abortion provider, ~~[or]~~ an
23 affiliate of an abortion provider, or an abortion services
24 provider.

25 (d) An organization is not eligible for funding under this
26 chapter if the organization:

27 (1) is a governmental entity or quasi-governmental

1 entity;

2 (2) is a hospital or hospital district;

3 (3) primarily functions as a medical, behavioral
4 health, or mental health provider;

5 (4) shares any employees or members of its governing
6 body with an abortion services provider; or

7 (5) is affiliated with, collaborates, or has a
8 relationship with an organization that shares any employees or
9 members of its governing body with an abortion services provider.

10 (e) Subsections (d)(2) and (3) do not apply to:

11 (1) an organization that contracted with the
12 commission before September 1, 2023, for the purpose of providing
13 an alternative to abortion; or

14 (2) an organization that subcontracted with an
15 organization described by Subdivision (1) for the purpose of
16 providing an alternative to abortion.

17 SECTION 6. As soon as practicable after the effective date
18 of this Act, the executive commissioner of the Health and Human
19 Services Commission shall adopt rules as necessary to implement the
20 changes in law made by this Act.

21 SECTION 7. This Act takes effect September 1, 2025.