By: Spencer H.B. No. 944

A BILL TO BE ENTITLED

AN ACT

relating to health care and law enforcement training regarding pregnancy fraud; creating a criminal offense for presenting false, fraudulent, or fictitious medical records regarding pregnancy.

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

SECTION 1. This Act may be cited as Reagan and Braxlynn's Law.

SECTION 2. Subchapter B, Chapter 32, Health and Safety Code, is amended by adding Section 32.048 to read as follows:

Sec. 32.048. TRAINING ON PREGNANCY FRAUD. (a) In this section:

(1) "Health care practitioner" means an individual who is licensed, certified, registered, or otherwise authorized by this state to provide health care, mental health, or peer support services.

(2) "Pregnancy fraud" means a false representation by an individual that the individual is pregnant if the individual knows the individual is not pregnant.

(b) The department shall establish and maintain a training program for health care practitioners who provide care to pregnant women on recognizing pregnancy fraud and preventing threats to public health or safety associated with pregnancy fraud.

(c) The training program must be evidence-based and include at least two hours of training, including training regarding:

(1) common warning signs of pregnancy fraud;

(2) guidance on recognizing and reporting false, fraudulent, or fictitious medical records associated with pregnancy fraud;

(3) safety concerns associated with pregnancy fraud and de-escalation methods; and

(4) resources available to potential victims of pregnancy fraud and the victims' families.

(d) A regulatory authority that licenses or regulates a health care practitioner who provides care to pregnant women shall allow the practitioner to claim up to two hours of continuing education credit toward the renewal of the practitioner's license, certification, or other authorization for providing services in this state.

SECTION 3. Subtitle H, Title 4, Health and Safety Code, is amended by adding Chapter 332 to read as follows:

CHAPTER 332. PREGNANCY FRAUD

Sec. 332.001. DEFINITIONS. In this chapter:

(1) "Health care facility" means a facility licensed, certified, or otherwise authorized to provide health care services in the ordinary course of business in this state. The term includes a facility that provides mental health care services.

(2) "Pregnancy fraud" means a false representation by an individual that the individual is pregnant if the individual knows the individual is not pregnant.

Sec. 332.002. STANDARD PROCEDURES FOR ADDRESSING PREGNANCY FRAUD. (a) A health care facility shall adopt standard procedures

for facility personnel to evaluate credible threats to public health or safety associated with pregnancy fraud committed by a facility patient. The procedures must:

(1) provide facility personnel with clear guidance regarding:

(A) identifying and reporting suspected pregnancy fraud to facility governance;

(B) evaluating whether the pregnancy fraud poses a credible threat to public health or safety; and

(C) available intervention and de-escalation options, including reporting to law enforcement, to prevent a threat to public health or safety posed by a pregnancy fraud; and

(2) ensure that facility personnel comply with applicable laws, including health information privacy laws, when responding to a threat to public health or safety posed by a pregnancy fraud.

(b) As soon as practicable after adopting or updating a pregnancy fraud procedure under Subsection (a), a health care facility shall submit a written summary of the facility's procedure to the state agency that issues the facility's license, certification, or other authorization for providing health care services in this state.

Sec. 332.003. DISCIPLINARY ACTION. A health care facility that violates this chapter is subject to disciplinary action by the state agency that issues the facility's license, certification, or other authorization for providing health care services in this state as if the facility had violated the applicable licensing or

regulatory law.

SECTION 4. Section 1701.253(u), Occupations Code, is amended to read as follows:

(u) As part of the minimum curriculum requirements, the commission shall require an officer to complete the training courses described by Sections [~~Section~~] 1701.273 and 1701.275.

SECTION 5. Subchapter F, Chapter 1701, Occupations Code, is amended by adding Section 1701.275 to read as follows:

Sec. 1701.275. TRAINING ON PREGNANCY FRAUD RECOGNITION AND VICTIM RESOURCES. (a) In this section, "pregnancy fraud" means a false representation by an individual that the individual is pregnant if the individual knows the individual is not pregnant.

(b) The commission by rule shall establish and maintain a training program for officers on recognizing pregnancy fraud and preventing threats to public health or safety associated with pregnancy fraud.

(c) The training program must be at least two hours.

(d) The training program must be evidence-based and include:

(1) common warning signs of pregnancy fraud;

(2) guidance on recognizing false, fraudulent, or fictitious medical records associated with pregnancy fraud;

(3) safety concerns associated with pregnancy fraud and de-escalation methods; and

(4) resources available to potential victims of pregnancy fraud and the victims' families.

SECTION 6. Subchapter D, Chapter 32, Penal Code, is amended

by adding Section 32.63 to read as follows:

Sec. 32.63. PRESENTATION OF FALSE, FRAUDULENT, OR FICTITIOUS MEDICAL RECORDS REGARDING PREGNANCY. (a) A person commits an offense if, to facilitate the commission of a felony, the person knowingly presents a false, fraudulent, or fictitious medical record, including an image, to another person with the intent to deceive the other person into believing that the actor is pregnant when the actor knows the actor is not pregnant.

(b) An offense under this section is a Class B misdemeanor.

SECTION 7. (a) As soon as practicable after the effective date of this Act, the executive commissioner of the Health and Human Services Commission shall adopt rules necessary to implement Sections 32.048 and 332.002, Health and Safety Code, as added by this Act.

(b) The minimum curriculum requirements under Section 1701.253(u), Occupations Code, as amended by this Act, apply only to an officer who first begins to satisfy those requirements on or after January 1, 2028.

(c) As soon as practicable after the effective date of this Act, the Texas Commission on Law Enforcement shall adopt rules necessary to implement the changes in law made by Section 1701.275, Occupations Code, as added by this Act.

(d) As soon as practicable after the effective date of this Act, the Health and Human Services Commission, in collaboration with the Texas Commission on Law Enforcement, shall conduct a public awareness campaign to educate the public about identifying and reporting suspected pregnancy fraud and the potential threats

to public health and safety posed by pregnancy fraud. The Health and Human Services Commission shall develop and post on the commission's Internet website educational materials regarding pregnancy fraud.

SECTION 8. This Act takes effect September 1, 2027.