



End of Session Report – 88th Regular Legislative Session

This document highlights select new laws from the 88th Regular Session that impact health and human services. Bills are organized by topic areas and relate to [legislative priorities](#) adopted by the Texas Council Board of Directors for the 88th Session. Bill numbers are hyperlinked to Texas Legislature Online (TLO), a free legislative information service of the State of Texas. TLO provides bill summaries, full legislative histories, complete text, amending language, and much more.

Legislators filed 8,580 bills and resolutions during the 88th Regular Session. Of those, Texas Council identified 1,719 with potential impact to Community Centers. Texas Council staff tracked all bills of potential impact, following their progress through the course of the legislative process and, in many cases, influencing a bill's ultimate disposition. Of tracked bills, 1,517 failed to pass and 202 passed and were sent to Governor Greg Abbott for signature or veto. Of these, 12 were vetoed and the remaining 190 will become law.

- [Bills Enacted](#)
- [Bills Failed to Pass](#)
- [Bills Vetoed](#)

Detailed summaries by Texas Council staff of new laws with impact on mental health, IDD services, criminal justice, healthcare, and many other policy areas follow. (Keep scrolling!)

Texas Council staff also created detailed summaries of state budget decisions:

- [HB 1 \(State Budget FY2024-25\) Key Budget Summary Items](#)
- [Select Riders](#)
- [CSSB 30: Select BH Items](#)
- [HB 1: Community IDD and IDD Waiver Items](#)
- [HB 1: Community BH Key Budget Items](#)
- [HB 1: Additional BH Key Budget Items](#)

If you have questions about these documents or navigating TLO, contact Leela Rice (lrice@txcouncil.com), Isabel Casas (icasas@txcouncil.com), or Erin Lawler (elawler@txcouncil.com).

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Children's Services

T HB 63

Swanson, Valoree(R)
Sparks, Kevin (F)(R)

Relating to reports of child abuse or neglect and certain preliminary investigations of those reports.

General Remarks:

Adds requirements related to contents of a report made to DFPS alleging child abuse or neglect, including: -facts that caused reporter to believe child has been abused or neglected -reporter's name, phone number, home address or (if a professional) business address.

If reporter calls DFPS toll-free line and is unwilling to provide the information above, requires DFPS representative receiving report to notify reporter that DFPS isn't authorized to accept an anonymous report and that the reporter can report by calling 911 or law enforcement, and that the identity of the reporter is confidential.

Requires those receiving the reports to use best efforts to collect identification. If the report is made orally, reporter must be notified that the report is being recorded and that making a false report is a criminal offense. A DFPS employee can only access the identity of someone making a report if they are directly involved in the case, supervise someone directly involved, or have legitimate professional interest in the case.

If someone makes an anonymous report to law enforcement, and they refer the report to DFPS, DFPS must conduct a preliminary investigation.

T HB 473

Hull, Lacey(R)
Sparks, Kevin (F)(R)

Relating to parental rights regarding a threat assessment of a student conducted by a public school's threat assessment and safe and supportive school team.

Companions:

SB 562

Sparks, Kevin (F)(R)

(Identical)

4-17-23 S Placed on the Senate Calendar for

General Remarks:

Requires school threat assessment teams to notify the parent or person standing in parental relation before conducting a student assessment. Also requires opportunity for the parent to participate in the assessment and submit information regarding the student. Requires findings and conclusions to be reported to the parent post-assessment.

HB 2059

Price, Four(R)
Zaffirini, Judith(D)

Relating to mental health first aid training provided by local mental health authorities and local behavioral health authorities.

General Remarks:

Updates previous legislation allowing various school personnel to access MHFA training from LMHAs at no cost (and adds LBHAs to those eligible to conduct the trainings).

Updates the funding for MHFA train-the-trainer from \$1,000 per person to "the amount the commission determines necessary to cover the costs of training." Similarly updates the funding for providing training from \$100 per person trained to "the amount the commission determines necessary to cover the costs of training."

Makes MHFA trainings available at no cost to any of the following: school district employees or contractors; employees or contractors of an institution of higher education, an open-enrollment charter school, or a private school; employees and contractors of a child-care facility; youth; individuals with direct and continuous contact with students; first responders; active military service members, veterans, or immediate family members of active military service members or veterans; or judges and attorneys, as applicable based on the practice of law of the judge or attorney.

Updates requirements related to timing of grant applications to require applications by July 1 of each even-numbered year (from annually).

Makes other language updates to reflect additional populations to be trained and repeals statutory language limiting MHFA funds available to each LMHA to the lesser of 3% of total MHFA grant funding or \$70,000. Also repeals statutory language allowing HHSC to allocate supplemental grants from unexpended MHFA grant funding.

HB 2929

Lozano, Jose(R)
West, Royce(D)

Relating to continuing education and training requirements for classroom teachers and public school counselors.

Companions:

SB 2318	West, Royce(D)	(Identical)
	3-22-23 S Introduced and referred to committee on Senate Education	

General Remarks: Updates language related to school counselor CE requirements to require that at least 25% of training includes instruction related to assisting with high school graduation planning, implementing dropout prevention, informing students on college admission and career opportunities, counseling students on mental health and substance abuse, and effective implementation of a comprehensive school counseling program (previously this CE was to make up not more than 25% of instruction).

 HB 3186

Leach, Jeff(R)
Zaffirini, Judith(D)

Relating to youth diversion strategies and procedures for children accused of certain fine-only offenses in municipal and justice courts and related criminal justice matters.

Companions: SB 1505 Zaffirini, Judith(D) (Identical)
3-16-23 S Introduced and referred to committee on Senate Criminal Justice

General Remarks: Adds subchapter on youth diversion to Code of Criminal Procedure, requiring diversion from formal criminal prosecution for youth alleged to have engaged in a fine-only misdemeanor, other than a traffic offense. Eligibility is limited to once in a year, and a child is not eligible if they have previously had unsuccessful diversion, the state's attorney objects, or without written consent of the child and parent.

Subchapter lists various diversion strategies that can be used, including requiring a child to participate in a program such as teen court, an educational program, a rehabilitation program; referring child to a service provider for services like at-risk youth services, work and job skills training, academic monitoring, mental health assessments, or counseling; requiring child to participate in mediation, submit to alcohol or drug testing, or substantially comply with a course of treatment recommended by a licensed professional; and requiring a child to pay restitution up to \$100, up to 20 hours of community service, or perform any other action the court considers reasonable.

Requires each justice and municipal court to adopt a youth diversion plan and describes what such plans should include. Allows a court to designate a youth diversion coordinator. Describes information that should be included in a

diversion agreement, including written acknowledgment by child and parent. Includes other requirements related to court requirements for diversion. Requires all records of diversion to be automatically expunged on the child's 18th birthday.

Updates language related to disposition of certain criminal court fees due upon conviction to rename the "Truancy Prevention and Diversion Account" to "Youth Diversion Account" and allows money allocated in this account to be used to employ or contract with a juvenile case manager. If a county or municipality does not employ or contract with a juvenile case manager, these funds can be used for support of an LMHA, juvenile alcohol and substance abuse programs, educational and leadership programs, etc.

HB 3554

Thierry, Shawn(D)
Whitmire, John(D)

Relating to increasing the criminal penalty for the offense of trafficking of persons if committed at certain locations.

General Remarks:

Updates trafficking statute to make it a first degree felony punishable by imprisonment for life or for a term of not more than 99 years or less than 25 years if the offense was committed on the premises or within 1,000 feet of the premises of a juvenile detention facility, a post-adjudication secure correctional facility, a shelter or residential treatment center, a community center offering youth services and programs, or a child-care facility (previously only applied if on or near a school's premises).

HB 3808

Wilson, Terry(R)
Flores, Pete(R)

Relating to the pediatric acute-onset neuropsychiatric syndrome advisory council.

Companions:

SB 1885 Flores, Pete(R) (Identical)
3-20-23 S Introduced and referred to committee on Senate Health and Human Services

General Remarks:

Updates statute related to the advisory council to require, among the 14 members to be appointed by the governor, that at least 3 be health care providers. Removes requirement that one member be an osteopathic physician, that one be an immunologist, and that one member be a dietitian. Allows the appointed senators and representatives of the advisory council to designate another individual to serve in their place.

T HB 3908 Wilson, Terry(R)
Creighton, Brandon(R) Relating to fentanyl prevention and drug poisoning awareness education for public school students in grades 6 through 12.

General Remarks: Requires the governor to designate a week to be known as Fentanyl Poisoning Awareness Week to educate students about the dangers posed by fentanyl. Also requires each school district to annually provide research-based instruction related to fentanyl prevention and drug poisoning awareness for grades 6 through 12. Includes requirements to be included in the instruction.

T HB 3917 Buckley, Brad(R)
Middleton, Mayes (F)(R) Relating to dismissal of a complaint alleging a parent contributing to nonattendance on the parent's fulfillment of certain terms.

General Remarks: Allows a court to dismiss a charge against a defendant alleging that they are a parent that has contributed to a student's nonattendance if the parent completes the terms of an agreement entered into with the school district within a certain period. Includes provisions for TEA to make rules and develop standardized forms, as well as make recommendations about program options to potentially require in an agreement.

T HB 3928 Toth, Steve(R)
Parker, Tan (F)(R) Relating to a student's eligibility for special education services provided by a school district, including services for dyslexia and related disorders.

Companions: SB 2140 Parker, Tan (F)(R) (Identical)
4-27-23 S Committee action pending Senate Education

General Remarks: Requires that if the district suspects or has reason to suspect that a child has dyslexia and may have a disability under IDEA, the district must provide the parent a form explaining IDEA rights, comply with all federal and state requirements, and, if the student is evaluated for dyslexia or a related disorder, also evaluate in any other areas in which a disability is suspected. Includes requirements about licensure and education of the relevant members of the multidisciplinary evaluation team, as well as those providing dyslexia instruction. Also requires districts, on the placement of a student in a disciplinary alternative education program, to provide parents information on the process for requesting a full student evaluation.

T HB 4233 Zwiener, Erin(D)
Zaffirini, Judith(D) Relating to training regarding runaway prevention for certain individuals who provide care for children in the conservatorship of the Department of Family and Protective Services.

General Remarks: Requires each foster parent, prospective adoptive parent, and relative or other designated caregiver for children ages 10+ in DFPS conservatorship to complete a training program on runaway prevention and proper procedures in the event a child runs away. The training may also be offered to providers for younger children, be included in licensing training, and be offered in lieu of certain other trainings.

T HB 4372

Oliverson, Tom(R)
Campbell, Donna(R)

Relating to the commissioning of peace officers by certain private schools.

General Remarks: Allows private schools with at least 1,500 students to commission peace officers to enforce state and local law on campus. Officers must meet all minimum standards established by the Texas Commission on Law Enforcement.

T HB 5195

Thompson, Senfronia(D)
Johnson, Nathan(D)

Relating to education, programming, and services for certain children awaiting criminal proceedings.

General Remarks: Requires children detained in a juvenile detention facility to be provided education, programming, and other services consistent with TJJD minimum standards. Requires facility administrator to complete an initial assessment of the child and develop a written plan for making progress on rehabilitation goals pending trial within 21 days of detention. Requires a status report documenting progress every 90 days.

T SB 55

Zaffirini, Judith(D)
Gonzalez, Mary(D)

Relating to a study and report by the Texas Higher Education Coordinating Board regarding best practices for assisting students with autism spectrum disorder.

General Remarks: Requires the Higher Education Coordinating Board to conduct a study to determine best practices for assisting students with autism spectrum disorder who are enrolled at institutions of higher education. Includes further direction on what the study should track and include.

T SB 133

West, Royce(D)
Hull, Lacey(R)

Relating to prohibiting the physical restraint of or use of chemical irritants on certain public school students by peace officers and school security personnel under certain circumstances.

Companions: [HB 459](#) Hull, Lacey(R) [HB 459](#)
5- 6-23 H Laid on the table - subject to call - see SB 133

<p>T SB 135</p>	<p>West, Royce(D) Ramos, Ana-Maria(D)</p>	<p>General Remarks: Prohibits restraints, chemical irritant sprays, and tasers to be used by peace officers or school security personnel on students in 5th grade or below, unless the student poses a serious risk of harm to self or others.</p>
<p>Companions:</p>		<p>HB 4201 Ramos, Ana-Maria(D) (Identical) 5- 2-23 H Recommended for Local and Consent Calendar</p>
		<p>General Remarks: Requires DFPS to maintain an electronic record of the status of a home study required of a potential relative or designated caregiver.</p>
<p>T SB 593</p>	<p>Sparks, Kevin (F)(R) Frank, James(R)</p>	<p>Relating to licensing and oversight of certain facilities and homes providing substitute care for children in the conservatorship of the Department of Family and Protective Services.</p>
<p>Companions:</p>		<p>HB 1517 Frank, James(R) (Identical) 5- 3-23 H Laid on the table - subject to call - see SB 593</p>
		<p>General Remarks: Requires HHSC to contract with an independent entity with demonstrated expertise in evaluating state child welfare systems by March 31, 2024. Require entity to conduct assessment of the state's rules, minimum standards, and contract requirements that apply to child-placing agencies, residential facilities including foster homes, relative caregivers, and adoptive homes. Assessment should also include the standards or oversight requirements to determine relevance, whether they comply with federal requirements, and whether they are best practices.</p> <p>Requires report on the assessment by September 30, 2024. This should include findings and recommendations (includes some specificity around what recommendations should include). This should also include recommendations for legislative action. Requires HHSC to submit its own report within 90 days of the independent entity's report, including a description of the plan to implement recommendations and a written justification of any recommendation it or DFPS decides not to implement.</p>
<p>T SB 629</p>	<p>Menendez, Jose(D) Talarico, James(D)</p>	<p>Relating to the use of opioid antagonists on public and private school campuses and at or in transit to or from off-campus school events.</p>

Companions: [HB 2411](#) Talarico, James(D) (Identical)
4-24-23 S Referred to Senate Committee on Senate Education

General Remarks: Requires each school district to adopt and implement a policy regarding the maintenance, administration, and disposal of opioid antagonists (e.g., Narcan) at each campus that serves students in grades 6-12. Allows policies for campuses serving children under grade 6 and allows charter schools and private schools to adopt and implement these policies. Includes specifications about what policies should include.

Requires HHSC executive commissioner to, in consultation with the commissioner of education, adopt rules regarding maintenance, administration, and disposal of opioid antagonists at a school campus. Requires districts to report a variety of information in cases where an opioid antagonist is administered in accordance with the policy.

Includes requirements related to training for school personnel and volunteers in antagonist administration. Includes provisions related to prescribing opioid antagonists under this section and what orders for prescribing should include. Provides immunity from liability for people who in good faith takes or fails to take action under the subchapter.

 SB 728

Huffman, Joan(R)
Leach, Jeff(R)

Relating to the reporting of mental health and intellectual disability information with respect to certain children for purposes of a federal firearm background check.

Companions: [HB 2780](#) Leach, Jeff(R) (Identical)
3-21-23 H Committee action pending House Select on
Community Safety
[SB 1184](#) Eckhardt, Sarah(D) (Identical)
3- 9-23 S Introduced and referred to committee on Senate
State Affairs

General Remarks: Adds to list of "federal prohibited person information" related to federal firearm reporting and background checks to include information that identifies a child who is at least 16 and has been found unfit to proceed or not responsible for conduct in a juvenile justice proceeding due to mental illness

or IDD, has been ordered by a court to receive inpatient mental health services, or has been committed by a court to a residential care facility as a result of an intellectual disability. Also adds information that identifies an incapacitated adult for whom a court has appointed a guardian. Requires clerks of court to notify DPS in the above circumstances.

T SB 763

Middleton, Mayes (F)(R)
Hefner, Cole(R) Relating to allowing school districts to employ chaplains to perform the duties of school counselors.

General Remarks: Allows districts or open-enrollment charter schools to employ a chaplain or accept one as a volunteer to provide support, services, and programs for students. They are not required to be certified by the State Board of Educator Certification. Adds chaplain services in counseling, mental and behavioral health, and suicide prevention to potential uses for school safety allotment funds. Requires each board of trustees to take a record vote on whether to adopt a policy authorizing chaplain services within 6 months of the effective date.

T SB 798

Middleton, Mayes (F)(R)
Buckley, Brad(R) Relating to the certification requirements for a public school counselor.

Companions: **HB 5006** Buckley, Brad(R) (Identical)
3-23-23 H Introduced and referred to committee on House
Public Education

General Remarks: States that qualifications for certification as a school counselor may not include a requirement that a candidate for certification have experience as a classroom teacher.

T SB 850

Blanco, Cesar(D)
Price, Four(R) Relating to the composition of the Texas Child Mental Health Care Consortium.

General Remarks: Removes M.D. Anderson Cancer Center as a member of the Consortium and adds each ESC that is identified as predominately serving rural school districts. Adds a representative from the ESCs to the executive committee of the Consortium. Adds a requirement that the executive committee establish terms of committee members and procedures for reappointment.

T SB 1447

Miles, Borris(D)
Campos, Liz(D) Relating to a training program for persons investigating suspected child abuse or neglect.

Companions: [HB 1289](#) Campos, Liz(D) (Identical)
5-11-23 S Referred to Senate Committee on Senate Health and Human Services

General Remarks: Requires DFPS to develop and implement a training program for investigators to include instruction on definitions, notice requirements (such as right to request an administrative review of DFPS findings), investigational standards, required assessments, DFPS policies on investigation dispositions and risk findings, policy on identifying potential relative placement, and other policy and procedural requirements. Must also provide training on forensic techniques and protocols. Requires investigators to pass an exam to test knowledge and competency before they can be assigned to investigate.

 SB 1720

Kolkhorst, Lois(R)
Lozano, Jose(R)

Relating to the confidentiality of the identity of a public school employee who reports a potential threat to the school's threat assessment and safe and supportive school team.

General Remarks: Requires policies and procedures for a school's safety and threat assessment team to provide for an employee reporting a potential threat to elect that their identity remain confidential except as necessary for investigation of the threat.

Last Action: 5-29-23 G Sent to the Governor

 SB 1930

Kolkhorst, Lois(R)
Johnson, Julie(D)

Relating to policies and procedures regarding children placed by the Department of Family and Protective Services in a residential treatment center or qualified residential treatment program.

General Remarks: If a child in DFPS custody is or may be placed in a residential treatment center or similar setting, guardian ad litem is required to review any information regarding whether the placement is appropriate, meet in person with the child, and provide a recommendation regarding the placement that is in the best interest of the child. The guardian ad litem may also request a placement conference and participate in any conferences conducted by DFPS or the treatment team related to placement.

Requires similar actions on the part of an attorney ad litem, with additional requirements to elicit the child's opinion of and concerns regarding the

placement, and to advise the child regarding the DFPS request and the likelihood of it being granted.

Requires the court to, in its review of residential treatment center placement, determine whether the child's needs can be met in a family-like setting, whether the recommended program can provide the most effective and appropriate level of care, whether it is the least restrictive environment, and whether placement is consistent with the child's permanency plan goals.

Criminal Justice

T HB 2201	Canales, Terry(D) Whitmire, John(D)	Relating to housing certain inmates in state jail felony facilities.
General Remarks:		Removes TDCJ's authority to designate discrete areas where inmates in need of substance abuse treatment can be housed or treated while imprisoned in the TDCJ system.
T HB 2741	Smith, Reggie(R) Hinojosa, Chuy(D)	Relating to the duties and composition of the Specialty Courts Advisory Council.
General Remarks:		Adds the juvenile family drug court program to the courts considered to be specialty courts. Directs the Specialty Courts Advisory Council to make recommendations to the Texas Judicial Council and OCA.
T HB 4085	Spiller, David(R) Perry, Charles(R)	Relating to the payment by the state or a county of costs for certain mental health hearings or proceedings.
Companions:		SB 295 Perry, Charles(R) (Identical) 2-15-23 S Introduced and referred to committee on Senate State Affairs
General Remarks:		Specifies the state or a county may only pay for costs related to court proceedings in cases where a patient is committed to a private mental hospital, unless under certain circumstances. Requires the court to refund court costs to facilities that received no compensation to treat the person, provided treatment under contract with a LMHA/LBHA, or only received reimbursement for treatment from Medicaid.
T SB 1146	West, Royce(D) Klick, Stephanie(R)	Relating to the medical transportation and care for certain inmates in the Texas Department of Criminal Justice.
Companions:		HB 3739 Klick, Stephanie(R) (Identical) 5-12-23 S Referred to Senate Committee on Senate Criminal Justice
General Remarks:		Establishes requirements for transporting female inmates for medical care to meet certain standards. Directs TDCJ, UTMB, and TTUHSC to establish

T SB 1585

[Sparks, Kevin \(F\)\(R\)](#)
[Johnson, Ann\(D\)](#)

procedures to expand access to on-site medical care as well as telemedicine and telehealth services.

Relating to certain proceedings in juvenile court for children with mental illness and intellectual disabilities.

Companions:

HB 1359	Wu, Gene(D)	(Identical)
	3-22-23 H Committee action pending House Juvenile Justice and Family Issues	
HB 2037	Johnson, Ann(D)	(Identical)
	5-16-23 S Referred to Senate Committee on Senate Criminal Justice	

General Remarks:

Section 1 Removes current language related to a child's fitness to proceed, removing requirement that an expert be appointed who is qualified under 46B for a criminal examination and report. Also updates outdated language to IDD.

Section 2 Adds definitions related to children's IDD and mental illness. Adds outpatient services to those the court can order. Adds a section on forensic mental examinations to determine if a child is unfit to proceed based on probable cause. Includes criteria for qualification as an expert to conduct exams. Adds criteria for court-ordered mental health services. Includes criteria for temporary and extended inpatient and outpatient services. Also adds criteria for court-ordered residential IDD services.

Section 3 Adds language to heading in Ch. 55 Family Code Subch. B to read "'court-ordered mental health services for' child with mental illness."

Section 4 Makes amendments related to court-ordered mental health services to correspond to earlier updates.

Section 5 Amends 55.12 to update language around "commitment" to "court-ordered mental health services." Adds to standards of care to require treatment to focus on stabilization of the child's mental illness and on meeting

their needs in the least restrictive setting. Makes various other conforming amendments related to discharge.

Section 6 Adds requirements for an expert to consider in examining a child and reporting on their fitness to proceed.

Section 7 Amends language related to proceedings following a finding of unfitness to proceed to include the possibility of outpatient care or placement in a residential care facility. Allows juvenile probation departments to provide restoration classes in collaboration with an outpatient setting. Requires the court to consult with the LMHA and LIDDA to determine appropriate treatment or services and restoration classes.

Sections 8-17 update section references, language related to court-ordered services, etc.

Section 18 adds Subchapter E "Proceedings for court-ordered mental health or residential intellectual disability services" to Ch. 55.

Section 19 transfers current sections of Family Code Ch. 55 to Subchapter E and makes updates related to proceedings in juvenile court for a child with mental illness. If proceedings are initiated for mental health services, requires juvenile court to, among other things, direct the LMHA to file its recommendation for proposed treatment. Court must also identify the person responsible for court-ordered outpatient services at least 3 days before a hearing that may result in an order for outpatient mental health services and must appoint physicians necessary to examine the child.

Requires HHSC to, on receipt of a court order for inpatient mental health services, identify a facility and admit the child. Includes requirements for the court in circumstances in which a child is detained in a juvenile detention facility and requires placement in an inpatient facility.

Section 20 transfers other parts of Ch. 55 to Subchapter E and amends language to correspond with other changes related to unfitness to proceed due

 [SB 2479](#)

[Zaffirini, Judith\(D\)](#)
[Moody, Joe\(D\)](#)

to intellectual disability. Requires HHSC to identify a facility and admit the child as described in the mental health services section.

Section 21 repeals areas of Ch. 55 that have been moved and renumbered in previous sections.

Relating to procedures regarding certain persons who are or may be persons with a mental illness or intellectual disability.

Companions:

[HB 5088](#)

Moody, Joe(D)

(Identical)

5- 2-23 H Voted favorably from committee as substituted House Criminal Jurisprudence

General Remarks:





Incorporates recommendations from the Texas Judicial Commission on Mental Health. Expands the applicability of provisions relating to the early identification of defendants suspected of having a mental illness or IDD to include defendants charged with a Class C misdemeanor but does not require magistrates to interview and collect information for individuals who were only arrested or charged with a Class C misdemeanor.

Allows law enforcement officers who transport individuals to a facility for emergency detention to leave the facility after the person is taken into custody by appropriate facility staff and the officer provides to the facility the required documentation. The officer is not required to remain at the facility while the person is medically screened or treated or while the person's insurance coverage is verified.

Allows a licensed mental health professional employed by a local mental health authority to make an electronic application for an emergency detention warrant.

Establishes that an order authorizing the administration of psychoactive medication to a patient ordered to receive inpatient mental health services also allows for a person's blood sample to be taken to conduct reasonable and medically necessary evaluations and tests to safely administer the psychoactive medication.

Healthcare & Managed Care

 HB 12	Rose, Toni(D) Kolkhorst, Lois(R)	Relating to the duration of services provided under Medicaid to women following a pregnancy.
	General Remarks:	Extends pregnant women's Medicaid coverage for a full 12-month period postpartum.
 HB 25	Talarico, James(D) Kolkhorst, Lois(R)	Relating to wholesale importation of prescription drugs for resale to Texas residents.
	General Remarks:	Directs HHSC to establish a prescription drug importation program to provide lower cost prescription drugs available outside of the U.S. to Texas consumers at a lower cost.
 HB 44	Swanson, Valoree(R) Middleton, Mayes (F)(R)	Relating to provider discrimination against a Medicaid recipient or child health plan program enrollee based on immunization status.
	General Remarks:	<p>Prohibits Medicaid or child health plan providers from refusing to provide services based solely on the enrollee's refusal or failure to obtain a vaccine or immunization for a particular disease. Further clarifies that it is not a violation to: -adopt a policy requiring some or all patients to be vaccinated or immunized against a particular disease in order to receive services; and - provide an exemption under which the provider accepts an oral or written request for an exemption based on a reason of conscience or a recognized medical condition for which vaccination is contraindicated.</p> <p>Prohibits HHSC from providing reimbursement to individual providers in violation. HHSC may not withhold reimbursement based on a provider's membership in a group or organization that includes a provider who has violated the section. Also, legislation does not apply to providers of oncology or organ transplant services.</p>
 HB 49	Klick, Stephanie(R) Kolkhorst, Lois(R)	Relating to public access to certain hospital investigation information and materials.
	General Remarks:	Amends requirements for release of certain information related to HHSC investigations of hospitals, including licensed mental hospitals, under the Public Information Act. With the stipulation that personally identifiable information must be omitted, subjects the following information to release as

public information: the number of investigations HHSC has conducted of the hospital, the outcome of each investigation, and the final decision, investigative report, or order to address the alleged violation.

Also requires HHSC to publish notice of violations, name and location of hospital involved, and the outcome of the investigation within 90 days of a decision addressing an alleged violation. This notice must remain on HHSC's website for at least 2 years.

T HB 109

Johnson, Julie(D)
Zaffirini, Judith(D)

Relating to health benefit coverage for hearing aids for children and adults.

Companions: SB 51 Zaffirini, Judith(D) (Identical)
4-18-23 S Recommended for Local/Uncontested Calendar

General Remarks: Does not apply to the state Medicaid program. Prohibits a health benefit plan from denying an enrollee's claim for a hearing aid solely on the basis that the price of the hearing aid is more than the benefit available. Does not require the health benefit plan to pay an enrollee's claim in an amount more than the benefit available.

T HB 1283

Oliverson, Tom(R)
Hughes, Bryan(R)

Relating to prescription drug formularies applicable to the Medicaid managed care program.

Companions: SB 1113 Hughes, Bryan(R) (Identical)
4-26-23 S Committee action pending Senate Health and Human Services

General Remarks: State law establishes content requirements for a managed care contract. Among these requirements are the requirements for MCOs operating in the state Medicaid program to adhere to the state's statewide drug formulary, applicable preferred drug list, and prior authorization procedures. Under existing law, these particular requirements were set to expire on August 31, 2023, after which each MCO would be able to develop its own drug lists and policies for use with their beneficiaries, moving Texas away from the statewide drug formulary model. HB 1283, as finally passed, pushes the expiration date for these requirements out by 10 years to 2033, maintaining HHSC's administrative control until that time.

<p>T HB 1337</p>	<p>Hull, Lacey(R) Menendez, Jose(D)</p>	<p>Relating to step therapy protocols required by health benefit plans for coverage of prescription drugs for serious mental illnesses.</p>
<p>Companions:</p>		<p>SB 452 Menendez, Jose(D) (Identical) 2-17-23 S Introduced and referred to committee on Senate Health and Human Services</p>
<p>General Remarks:</p>		<p>Does not apply to Medicaid or CHIP. With regard to health benefit plans that provide coverage for prescription drugs to treat serious mental illness, prohibits a plan from requiring, before the plan provides coverage of a prescription drug approved by the FDA, that the enrollee: (1) fail to respond to more than one different drug for each drug prescribed, excluding the generic or pharmaceutical equivalent of the prescribed drug; or (2) prove a history of failure of more than one different drug for each drug prescribed, excluding the generic or pharmaceutical equivalent.</p> <p>Allows a health benefit plan to implement a step therapy protocol under limited circumstances once in a plan year and if the generic or pharmaceutical equivalent drug is added to the plan's drug formulary.</p>
<p>T HB 1357</p>	<p>Holland, Justin(R) Huffman, Joan(R)</p>	<p>Relating to Medicaid reimbursement for certain medication-assisted treatments for opioid or substance use disorder.</p>
<p>General Remarks:</p>		<p>HB 1357 continues Medicaid coverage of medication-assisted opioid or substance use disorder treatment. The bill repeals existing law which would have allowed these benefits to expire.</p>
<p>T HB 1575</p>	<p>Hull, Lacey(R) Kolkhorst, Lois(R)</p>	<p>Relating to improving health outcomes for certain recipients and enrollees under certain state health benefits programs, through improved program administration.</p>
<p>General Remarks:</p>		<p>Adds Community Health Workers and doulas as Medicaid provider types under the case management program for children and pregnant women. Directs HHSC to adopt a standardized assessment designed to screen for and identify data regarding non-medical health-related needs of pregnant women eligible for public benefits, including Medicaid.</p>
<p>T HB 2727</p>	<p>Price, Four(R) Perry, Charles(R)</p>	<p>Relating to the provision of home telemonitoring services under Medicaid.</p>

General Remarks: Expands the Medicaid home telemonitoring benefit to allow FQHCs and rural health clinics the ability to provide and bill for remote patient telemonitoring. Previously, statute only allowed for home health agencies and hospitals to provide these services. The bill also broadens the conditions under which home telemonitoring may be ordered by allowing HHSC to identify diagnosed conditions for which the provision of home telemonitoring would be cost-effective and clinically effective. Specifically directs HHSC to consider whether high-risk pregnancy is a condition for which telemonitoring would be cost-effective and clinically effective.

HB 2802

Rose, Toni(D)
Blanco, Cesar(D)

Relating to the Medicaid application form and communication with Medicaid recipients.

Companions: SB 1127 Blanco, Cesar(D) (Identical)
3- 9-23 S Introduced and referred to committee on Senate Health and Human Services

General Remarks: Allows MCOs to communicate with Medicaid recipients through text messages, without requiring the recipients to "opt-in" to receive communications via text.

HB 3286

Klick, Stephanie(R)
Hancock, Kelly(R)

Relating to certain prescription drug benefits under the Medicaid managed care program.

Companions: SB 2201 Hancock, Kelly(R) (Identical)
3-22-23 S Introduced and referred to committee on Senate Health and Human Services

General Remarks: Amends current processes related to HHSC's administration of the Preferred Drug List (PDL), including giving health plans flexibility to override the PDL when in the best interest of the recipient.

Specifically, with regard to outpatient pharmacy benefits, requires an MCO to establish a process through which a prescribing provider may submit a step therapy protocol exception request. Directs the MCO to review and grant an exception request if the drug required under step therapy is contraindicated, will likely cause an adverse reaction, or is expected to be ineffective; the recipient previously discontinued the preferred drug under certain

circumstances; the recipient is taking a nonpreferred version of an antidepressant or antipsychotic, prescribed to the recipient upon discharge from a facility, and the recipient is stable on the drug.

Additionally, HB 3286 expedites access to new National Drug Codes by allowing provisional availability, directs HHSC to ensure all therapeutic equivalents for a generic drug are on the PDL, and directs HHSC to establish an expedited review process for requests from MCOs and providers to add drugs to the PDL.

T HB 4888

Hefner, Cole(R)
Perry, Charles(R)

Relating to Medicaid coverage and reimbursement for non-opioid treatments.

General Remarks:

Directs HHSC to ensure Medicaid reimbursement to providers for non-opioid treatment, defined as "a drug or biological product that is indicated to produce analgesia (absence of a sense of pain) without acting on the body's opioid receptors."

T HB 4928

Frank, James(R)
Springer, Drew(R)

Relating to the continuation and operations of certain local health care provider participation programs.

General Remarks:

Postpones from December 31, 2023, to December 31, 2027, the expiration of the authority of a county with a population of more than 125,000 that contains a hospital district that is not countywide and that borders Oklahoma (Wichita County) to administer and operate a county health care provider participation program.

T HB 4990

Bonnen, Greg(R)
Kolkhorst, Lois(R)

Relating to the creation, management, and administration of the Texas Pharmaceutical Initiative.

Companions:

SB 2402	Kolkhorst, Lois(R)	(Identical)
4-19-23 S Committee action pending Senate Health and Human Services		

General Remarks:

Establishes the Texas Pharmaceutical Initiative to provide cost-effective access to prescription drugs and medical supplies to various state-administered programs (e.g. Employee Retirement System of Texas) and programs operated or administered by HHSC.

T SB 490

Hughes, Bryan(R)
Harris, Caroline (F)(R)

Relating to itemized billing for health care services and supplies provided by health care provider.

Companions: **HB 1973** Harris, Caroline (F)(R) (Identical)
5- 9-23 H Laid on the table - subject to call - see SB 490

General Remarks: Requires health care providers that request payment from a patient after providing a service to submit with the request a written, itemized bill of the cost of each service provided during the visit. The itemized bill must be provided by the 30th day after the provider received a final payment.

T SB 745

Kolkhorst, Lois(R)
Noble, Candy(R)

Relating to fraud prevention under certain health care programs.

Companions: **HB 3779** Noble, Candy(R) (Identical)
3-20-23 H Introduced and referred to committee on House Human Services

General Remarks: Expands the scope of the Texas Medicaid Fraud Prevention Act and authorizes the OAG to investigate and pursue civil enforcement actions in the CHIP and Healthy Texas Women programs.

Also stipulates that for purposes of Medicaid fraud specifically, a Medicaid recipient includes an individual on whose behalf a person claims or receives payment from the Medicaid program or fiscal agent, without regard to whether the individual was eligible for Medicaid benefits.

T SB 1155

Menendez, Jose(D)
Allison, Steve(R)

Relating to the continuation and operations of a health care provider participation program by the Bexar County Hospital District.

Companions: **HB 3231** Allison, Steve(R) (Identical)
5-11-23 H Laid on the table - subject to call - see SB 1155

General Remarks: Postpones the expiration of the Bexar County Hospital District's authority to administer and operate a health care provider participation program, and the expiration of provisions governing the program, from December 31, 2023, to December 31, 2027.

Authorizes the district to impose and collect interest and penalties on delinquent mandatory payments assessed under the program in any amount that does not exceed the maximum amount authorized for other delinquent payments owed to the district.

T SB 1286

Schwertner, Charles(R)
Johnson, Ann(D)

Relating to prompt payment deadlines for health benefit plan claims affected by a catastrophic event.

Companions:

HB 3196

Johnson, Ann(D)

(Identical)

5- 4-23 H Laid on the table - subject to call - see SB 1286

General Remarks:

Provides for the discretionary extension of prompt payment deadlines due to a catastrophic event as follows:

·by notice published by the commissioner of insurance allowing an extension of prompt payment deadlines to a later date chosen by the commissioner due to a catastrophic event; or

·approval by the Texas Department of Insurance (TDI) of a physician's or provider's request for an extension of prompt payment deadlines due to a catastrophic event that substantially interferes with the normal business operations of the physician or provider.

Authorizes the commissioner of insurance to adopt rules to implement these provisions, including rules establishing requirements for a request made to TDI by a physician or provider for an extension.

T SB 1342

Perry, Charles(R)
Smithee, John(R)

Relating to requirements applicable to certain third-party health insurers in relation to Medicaid.

Companions:

HB 3119

Smithee, John(R)

(Identical)

5-16-23 S Referred to Senate Committee on Senate Health and Human Services

General Remarks: Aligns state Medicaid law regarding third party liability with federal regulations effective January 1, 2024. Requires third parties other than Medicare to accept the state's authorization for an item or service as if it was their own.

Intellectual & Developmental Disabilities

<p>T HB 54</p>	<p>Thompson, Senfronia(D) Zaffirini, Judith(D)</p>	<p>Relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.</p> <p>General Remarks: Increases personal needs allowance minimum from \$60 to \$75 for residents of licensed facilities, including community-based ICF/IID residences. Does not apply to HCS providers.</p>
<p>T HB 446</p>	<p>Craddick, Tom(R) Kolkhorst, Lois(R)</p>	<p>Relating to the terminology used in statute to refer to intellectual disability and certain references to abolished health and human services agencies.</p> <p>Companions: SB 332 Kolkhorst, Lois(R) (Identical) 2-15-23 S Introduced and referred to committee on Senate Health and Human Services</p> <p>General Remarks: Applies non-substantive terminology changes across 13 state statute codes. Replaces "mental retardation" term with "intellectual disability/ies" or "intellectual and developmental disability/ies."</p>
<p>T HB 568</p>	<p>Bowers, Rhetta(D) Menendez, Jose(D)</p>	<p>Relating to education and training for peace officers on interacting with persons with Alzheimer's disease and other dementias.</p> <p>Companions: SB 443 Menendez, Jose(D) (Identical) 2-15-23 S Introduced and referred to committee on Senate Criminal Justice</p> <p>General Remarks: Directs the Texas Commission on Law Enforcement to include as part of its statewide education and training program instruction to officers regarding recognizing and interacting with individuals with Alzheimer's disease and other dementias.</p>
<p>T HB 1009</p>	<p>Turner, Chris(D) West, Royce(D)</p>	<p>Relating to criminal history record information reviews of certain individuals providing services to individuals with an intellectual or developmental disability.</p> <p>General Remarks: Requires HCS providers to conduct a federal background check in addition to a state background check upon hiring group home staff. HCS providers may not hire potential employees or must discharge current employees convicted of</p>

certain offenses. Directs HHSC to impose sanctions within the authority of the agency (e.g., administrative penalty, vendor hold, contract termination, etc.) on noncompliant providers.

[T HB 2187](#)

[Davis, Yvonne\(D\)](#)
[Menendez, Jose\(D\)](#)

Relating to the criminal offense of abandoning or endangering a child, elderly individual, or disabled individual.

General Remarks: Defines and applies the criminal offenses of abandoning and endangering to children, seniors, and individuals with disabilities.

[T HB 3009](#)

[VanDeaver, Gary\(R\)](#)
[Zaffirini, Judith\(D\)](#)

Relating to the health care providers authorized to examine a person to determine whether the person is incapacitated for purposes of certain guardianship proceedings.

General Remarks: Authorizes a licensed Advanced Practice Registered Nurse (APRN) who is acting under a physician's delegated authority and supervision to perform an examination of a ward or proposed ward in relation to a guardianship proceeding. Requires the supervising physician to sign the letter or certificate based on examination.

[T HB 4169](#)

[Price, Four\(R\)](#)
[Sparks, Kevin \(F\)\(R\)](#)

Relating to providing prevocational services under certain Medicaid waiver programs.

Companions: [SB 2489](#) Sparks, Kevin (F)(R) (Identical)
5- 9-23 S First placement on Senate Intent Calendar for

General Remarks: Directs HHSC to seek federal approval to include prevocational services as part of the Individualized Skills and Socialization (ISS) service required for HCBS services. If HHSC cannot obtain a waiver, the agency must work with stakeholders and relevant federal agencies to establish a new, similar service.

[T HB 4611](#)

[Price, Four\(R\)](#)
[Johnson, Nathan\(D\)](#)

Relating to the nonsubstantive revision of the health and human services laws governing the Health and Human Services Commission, Medicaid, and other social services.

General Remarks: Makes non-substantive changes to existing statute related to HHSC, Medicaid, and other social services. Changes are meant to compile the relevant law, arrange it in a logical fashion, and rewrite it without altering its meaning or legal effect.

<u>T</u> <u>HB 4696</u>	<u>Noble, Candy(R)</u> <u>Miles, Borris(D)</u>	<p>Relating to transferring certain investigations of abuse, neglect, and exploitation to the Health and Human Services Commission and the on-site investigation and survey of certain providers.</p> <p>General Remarks: Transfers DFPS's duties related to abuse, neglect, and exploitation provider investigations, including IDD providers, into HHSC.</p>
<u>T</u> <u>SB 477</u>	<u>Zaffirini, Judith(D)</u> <u>Morales, Christina(D)</u>	<p>Relating to accommodating voters with a disability.</p> <p>General Remarks: Requires election officers to prioritize voters with mobility limitations so the voters do not have to wait in line. Requires polling places to designate a parking space for individuals who need assistance entering the polling place to contact an election officer, and</p>
<u>T</u> <u>SB 576</u>	<u>Menendez, Jose(D)</u> <u>Thierry, Shawn(D)</u>	<p>Relating to the definition of exploitation for purposes of investigating reports of exploitation by certain providers against certain elderly individuals and individuals with disabilities receiving services from those providers.</p> <p>General Remarks: Requires HHSC to include the act of providing a monetary or property loan to a provider by an individual receiving services from that provider to the definition of "exploitation" in context of abuse, neglect, and exploitation by service providers.</p>
<u>T</u> <u>SB 944</u>	<u>Kolkhorst, Lois(R)</u> <u>Lambert, Stan(R)</u>	<p>Relating to the commitment order for individuals with intellectual disabilities who are committed to state supported living centers.</p> <p>General Remarks: Amends required elements of the process to commit an individual with IDD to a State Supported Living Center. Creates a path for commitment for an individual with intellectual disability without an interdisciplinary team report when the parent/guardian petitions the court. Requires the court to determine beyond a reasonable doubt the individual meets the requirements for SSLC commitment if an IDT recommendation is not requested.</p>
<u>T</u> <u>SB 1457</u>	<u>Zaffirini, Judith(D)</u> <u>Thompson, Senfronia(D)</u>	<p>Relating to guardianships and the delivery of certain notices or other communications in connection with guardianship proceedings.</p> <p>Companions: <u>HB 3184</u> Thompson, Senfronia(D) (Identical) 5-10-23 H Laid on the table - subject to call - see SB 1457</p>

General Remarks: Clarifies appropriate delivery methods for notices of guardianship proceedings. Allows a guardian of the person to access minimal funds to the person's estate if appointed by the guardian of the estate.

T [SB 1606](#)

[Zaffirini, Judith\(D\)](#)
[Leach, Jeff\(R\)](#)

Relating to evidence and orders regarding intellectual disability or mental condition in certain guardianship proceedings.

General Remarks: Incorporates recommendations from the Texas Governor's Committee on People with Disabilities, including: establishing a preference for a physician or psychologist conducting a capacity evaluation to have experience examining individuals with IDD; expanding the number of mental health professionals who can recommend restoring a person's competency or modifying the guardianship; and allowing persons with a diagnosed mental condition, but have sufficient capacity with supports and services, to be eligible for the restorations of their rights.

T [SB 1624](#)

[Zaffirini, Judith\(D\)](#)
[Leach, Jeff\(R\)](#)

Relating to guardianships, alternatives to guardianship, and supports and services for incapacitated persons.

General Remarks: Guardianship reform bill, which allows individuals under guardianship to select and hire attorneys for restoration or modification hearings. Provides guidance regarding guardianship reviews, reports, and what evidence can be considered in guardianship termination hearings.

General Remarks: Clarifies court clerk procedures and responsibilities regarding transferring guardianship cases between different counties; ensuring guardians meet the conditions of guardianship before they can assume the role; expanding protections for persons with a guardian; and establishing measures to ensure all guardianship matters are resolved before the guardian is dismissed.

T [SB 2429](#)

[Hancock, Kelly\(R\)](#)
[Klick, Stephanie\(R\)](#)

Relating to reporting procedures and training programs for law enforcement agencies regarding missing children and missing persons.

Companions: [HB 4975](#) Klick, Stephanie(R) (Identical)
3-23-23 H Introduced and referred to committee on House
Homeland Security and Public Safety

General Remarks: Clarifies and updates statute relating to reporting procedures and training programs for law enforcement agencies regarding missing children and missing persons.

Local Government

T [HB 492](#)

[Craddick, Tom\(R\)](#)
[Sparks, Kevin \(F\)\(R\)](#)

Relating to the creation and operation of mental health services districts by the Midland County Hospital District of Midland County, Texas, and the Ector County Hospital District.

General Remarks:

Authorizes Midland County Hospital District and Ector County Hospital District to create a special district to provide mental health services to the residents of the district. The new special district would combine funds from both hospital district budgets currently earmarked for the delivery of mental health services and place those under the care of the new hospital Board of Directors and management for the operation of the new mental health hospital and associated services. The new special district would have no taxing authority and would rely on the existing taxing authority for each public hospital district to obtain local tax funds.

T [HB 1038](#)

[Cain, Briscoe\(R\)](#)
[Sparks, Kevin \(F\)\(R\)](#)

Relating to a biennial report on state lending and credit support programs.

Companions:

[SB 850](#)

Blanco, Cesar (F)(D)

(Refiled from
87R Session)

General Remarks:

Directs the Bond Review Board to submit to the Legislature and post online a report every two years with information on all public lending programs and credit support programs in the state. Requires political subdivisions to provide any information necessary for the Board to prepare the report; the manner in which a political subdivision must submit this information will be provided in rule.

A credit support program is a program under which the state guarantees or provides credit enhancements for the debt of any public or private entity in a manner that obligates the state to pay any part of the principal or interest if the entity defaults.

A lending program is a program through which state money is loaned, or otherwise provided with the expectation of repayment, to a public or private entity.

[T HB 1193](#) [Turner, Chris\(D\)](#) [Miles, Borris\(D\)](#) Relating to prohibiting housing discrimination by a property owners' association against a residential tenant based on the tenant's method of payment.

General Remarks: Prohibits a property owners' association from prohibiting or restricting a property owner from renting a dwelling to a person based on the person's method of payment (e.g. discrimination based on the renter's use of a Section 8 housing voucher or other housing assistance).

[T HB 1957](#) [Geren, Charlie\(R\)](#) [King, Phil \(F\)\(R\)](#) Relating to the availability of financial information of nonprofit corporations for public inspection.

Companions: [SB 835](#) King, Phil (F)(R) (Identical)
3- 1-23 S Introduced and referred to committee on Senate Business and Commerce

General Remarks: Updates requirements for a Texas nonprofit corporation to keep certain records, books, and annual reports for public inspection by clarifying that the documents required to be kept are those that the corporation is required to make available for public inspection under federal law as a 501(c)(3) tax-exempt organization.

[T HB 2071](#) [Jetton, Jacey\(R\)](#) [Bettencourt, Paul\(R\)](#) Relating to certain public facilities used to provide affordable housing.

Companions: [SB 1278](#) Bettencourt, Paul(R) (Identical)
4-12-23 S Committee action pending Senate Local Government

General Remarks: Creates conditions for financing, owning or operating a multifamily residential development and revises requirements that must be met for a multifamily residential development approved by a public facility corporation to receive beneficial tax treatment.

[T HB 3191](#) [Spiller, David\(R\)](#) [Springer, Drew\(R\)](#) Relating to the elections and operations of certain hospital districts.

General Remarks: Update laws relating to hospital district boards. Among other things, creates a mechanism for the resignation of a board member that fails to appear at board meetings, aligns certain provisions with the Election and Government

T [HB 4553](#)

[Longoria, Oscar\(D\)](#)
[Johnson, Nathan\(D\)](#)

Codes, and provides additional options regarding the duration of board member terms.

Relating to the eligibility of certain entities for services and commodity items provided by the Department of Information Resources and statewide technology centers.

Companions: [SB 1159](#) Johnson, Nathan(D) (Identical)
4-18-23 S Committee action pending Senate Business and Commerce

General Remarks: Amends the Government Code to establish a comprehensive list of entities that are eligible customers for services the Department of Information Resources (DIR) provides, contingent on the executive director of DIR determining that a particular entity's participation in the service is in the state's best interest. The comprehensive list includes local governments and public hospitals.

T [HB 4559](#)

[Darby, Drew\(R\)](#)
[Huffman, Joan\(R\)](#)

Relating to the application of statutes that classify political subdivisions according to population.

General Remarks: Taking into account 2020 federal census data, updates population brackets throughout numerous statutes that rely on brackets so that the provisions continue to apply to the political subdivisions for which the brackets were intended.

T [SB 26](#)

[Kolkhorst, Lois\(R\)](#)
[Jetton, Jacey\(R\)](#)

Relating to local mental health authority and local behavioral health authority audits and mental and behavioral health reporting, services, and programs.

General Remarks: Section 1 Directs HHSC to create a matching grant program to provide support for community-based initiatives that promote identification of mental health issues and improve access to early intervention and treatment for children and families. Includes more specific direction on the initiatives developed under the grant program and the entities that are eligible, which includes LMHAs. Grant recipients must provide at least 10% match.

Section 2 requires HHSC to, by January 1, 2025, develop a plan for transitioning individuals out of hospitals primarily providing behavioral health

services to nursing facilities. Individuals to be transferred would be those who require 1) a level of care provided by a nursing facility and 2) a high level of behavioral health supports and services. Includes further details on what the plan must include and states that HHSC may implement it only if it determines that implementation would increase the amount of available state general revenue.

Section 3 Requires the OIG to conduct performance audits of each LMHA and LBHA at least every 5 years. Also directs the OIG to establish a financial audit schedule that ensures that each LMHA/LBHA undergoes a financial audit at least every 3 years and submits it to the OIG. Additional audits should be conducted as necessary based on adverse findings or HHSC request.

Section 4 Amends statute related to joint discharge planning for state hospital discharges, including requiring rulemaking specifying the LMHA's responsibility for ensuring successful transition of those determined medically appropriate for discharge. Requires LMHA to arrange for provision of services upon discharge.

Requires each state hospital to designate an employee to provide transition support services. Requires transition support services by LMHA to complement joint discharge planning efforts, which may include enhanced services and supports for complex or high-need patients and post-discharge monitoring for up to one year. Requires HHSC to ensure that each facility concentrates the provision of transition support for patients who have been admitted to and discharged from a facility multiple times in a 30-day period, and those who have been in the facility for longer than a year.

Section 5 states that a facility administrator of an inpatient facility may only approve admission of a person for whom a proper request for voluntary inpatient services is filed if, at the time of the filing, there is available space at the facility.

Section 6 amends current H&S Code 1001.084, related to public reporting of performance and outcome measures established by HHSC. Removes language requiring reporting on Medicaid managed care mental health pilot programs

and on agencies, organizations, and persons that contract with the state to provide substance use services. Reporting will only be required of LMHAs, LBHAs, and LIDDAs. Amends frequency of reporting to monthly or as frequently as possible.

Adds a number of requirements related to the information that must be included in reporting. Additions are: access to timely and adequate screening and rapid crisis stabilization services; timely access to and appropriate treatment from community-based crisis residential services and hospitalization; improved functioning as a result of medication-related and psychosocial rehab services; information related to the number of people referred to a state hospital, SSLC, or community-based hospital, the length of time between referral and admission, length of stay, and length of time between a person being determined ready for discharge/transition and the date of the discharge/transition; the rate of denial of services or requests for assistance from jails and other entities and the reason for denial; quality of care in community-based services and state facilities; average number of hours of service provided compared to recommended number of hours of service for each level of care; and any other relevant information to determine the quality of services provided. Subsection on specific things to include in reporting expires 09/01/2025.

Section 7 Repeals current section of statute requiring HHSC to conduct a study to determine the feasibility of establishing and maintaining the public reporting system.

House floor amendment adds language from HB 2361, which adds to current statute related to NPMHPs stationed in ESCs to allow LMHAs/LBHAs to request a waiver if there is a shortage of qualified NPMHP applicants. The waiver would allow an LMSW or LPC-A to be employed to perform the NPMHP duties. Waiver process to be developed in rule.

Relating to prohibited governmental entity implementation or enforcement of a vaccine mandate, mask requirement, or private business or school closure to prevent the spread of COVID-19.

 [SB 29](#)

[Birdwell, Brian\(R\)](#)
[Lozano, Jose\(R\)](#)

Companions:

[HB 5027](#)

Toth, Steve(R)

(Identical)

3-23-23 H Introduced and referred to committee on House State Affairs

General Remarks: Codifies certain Executive Orders prohibiting local governments from implementing COVID-19 mask and vaccine mandates with limited exceptions.

The prohibition on mask mandates does not apply to a hospital or "other health care facility owned by a governmental entity" subject to any applicable guidance prescribed by that governmental entity.

The prohibition on vaccine mandates applies only to the extent it does not conflict with the final rule adopted by CMS.

[T SB 232](#)

[Hinojosa, Chuy\(D\)](#)
[Geren, Charlie\(R\)](#)

Relating to the removal from office of an officer of a political subdivision for commission of certain criminal offenses.

General Remarks: Provides for the automatic removal of a person holding an elected or appointed office of a political subdivision upon pleading guilty or nolo contendere to, receiving deferred adjudication for, or being convicted of, one of several offenses related to public corruption.

[T SB 271](#)

[Johnson, Nathan\(D\)](#)
[Shaheen, Matt\(R\)](#)

Relating to state agency and local government security incident procedures.

Companions: [HB 712](#) Shaheen, Matt(R) (Identical)
5- 5-23 H Laid on the table - subject to call - see SB 271

General Remarks: Expands existing requirements for state agencies to report cybersecurity security incidents to the Department of Information Resources by subjecting local governments that maintain computerized data that includes sensitive personal information to the same reporting requirements. Adds ransomware attacks to the definition of a security breach.

[T SB 849](#)

[Blanco, Cesar\(D\)](#)
[Moody, Joe\(D\)](#)

Relating to the continuation and operations of a health care provider participation program by the El Paso County Hospital District.

Companions: [HB 1621](#) Moody, Joe(D) (Identical)

5- 8-23 S Referred to Senate Committee on Senate Local Government

General Remarks: Postpones from December 31, 2023, to December 31, 2027, the expiration of the authority of the El Paso County Hospital District to administer and operate a health care provider participation program and the expiration of related statutory provisions.

 [SB 943](#)

[Kolkhorst, Lois\(R\)](#)
[Hunter, Todd\(R\)](#)

Relating to the publication of notices by a governmental entity on the Internet websites of a newspaper and Texas Press Association.

Companions: [HB 2178](#) Hunter, Todd(R) (Identical)
4-19-23 H Committee action pending House State Affairs

General Remarks: With regard to publication of notices by governmental entities on newspaper websites and the website of the Texas Press Association, among other things, requires a person required to public notice on an Internet website to archive the notice on the website in its entirety, including the publication date.

Mental Health

T [HB 2059](#)

[Price, Four\(R\)](#)
[Zaffirini, Judith\(D\)](#)

Relating to mental health first aid training provided by local mental health authorities and local behavioral health authorities.

General Remarks:

Updates previous legislation allowing various school personnel to access MHFA training from LMHAs at no cost (and adds LBHAs to those eligible to conduct the trainings).

Updates the funding for MHFA train-the-trainer from \$1,000 per person to "the amount the commission determines necessary to cover the costs of training." Similarly updates the funding for providing training from \$100 per person trained to "the amount the commission determines necessary to cover the costs of training."

Makes MHFA trainings available at no cost to any of the following: school district employees or contractors; employees or contractors of an institution of higher education, an open-enrollment charter school, or a private school; employees and contractors of a child-care facility; youth; individuals with direct and continuous contact with students; first responders; active military service members, veterans, or immediate family members of active military service members or veterans; or judges and attorneys, as applicable based on the practice of law of the judge or attorney.

Updates requirements related to timing of grant applications to require applications by July 1 of each even-numbered year (from annually).

Makes other language updates to reflect additional populations to be trained and repeals statutory language limiting MHFA funds available to each LMHA to the lesser of 3% of total MHFA grant funding or \$70,000. Also repeals statutory language allowing HHSC to allocate supplemental grants from unexpended MHFA grant funding.

T [HB 3858](#)

[Frazier, Frederick \(F\)\(R\)](#)
[Johnson, Nathan\(D\)](#)

Relating to the establishment of mental health wellness units within law enforcement agencies.

General Remarks:

Adds Ch. 425 to Govt Code to allow law enforcement agencies to establish and maintain a mental health wellness unit for the agency's peace officers. Also

T [SB 52](#)

[Zaffirini, Judith\(D\)](#)
[Smith, Reggie\(R\)](#)

establishes a peace officer wellness fund and requires HHSC to establish and administer a grant program to assist law enforcement agencies in establishing and maintaining wellness programs.

Relating to the right of state hospital patients to designate an essential caregiver for in-person visitation.

General Remarks:

Establishes that a patient, their guardian, or their LAR has the right to designate an essential caregiver with whom a state hospital cannot prohibit in-person visitation. If the patient is a minor, both parents may be designated. Requires HHSC executive commissioner to develop guidelines to assist state hospitals in establishing policies and procedures for essential caregivers. Includes guideline requirements. Includes sections related to revocation of caregiver designation and temporary suspension of in-person visits.

T [SB 186](#)

[Miles, Borris\(D\)](#)
[Reynolds, Ron\(D\)](#)

Relating to the prohibited discharge of a patient to certain unlicensed or unpermitted group-centered facilities.

General Remarks:

Amends H&S code related to hospital and nursing facility discharge to only allow discharge to a group home or boarding home if the home operator has an appropriate license or permit.

Allows discharge to non-licensed or -permitted home only if there is no group facility in the county with a license or permit, or if the patient voluntarily elects to reside in an unlicensed or un-permitted home. States that the hospital or nursing facility is not liable for damages resulting from the patient's discharge or release in these circumstances.

T [SB 188](#)

[Miles, Borris\(D\)](#)
[Reynolds, Ron\(D\)](#)

Relating to criminal history record information checks for applicants for employment and employees of group homes.

Companions:

[HB 1219](#) Reynolds, Ron(D) (Identical)
5- 2-23 H Recommended for Local and Consent Calendar

General Remarks:

Defines "group home" and exempts various types of living arrangements from inclusion in the definition (e.g., licensed homes, hotels, retirement communities, etc.). Requires an owner or operator of a group home to obtain criminal history record information on employees and those applying for employment. Prohibits hiring or continuing to employ an individual whose

T [SB 189](#)

[Miles, Borris\(D\)](#)
[Rose, Toni\(D\)](#)

criminal history information includes offenses punishable as a Class A misdemeanor or felony. Makes violation a Class A misdemeanor.

Relating to the creation of a criminal offense concerning the failure of certain persons to report abuse, neglect, or exploitation in boarding home facilities.

General Remarks:

Makes it a Class A misdemeanor if someone owns a building that is leased to another person who operates the building as a boarding house and the owner has actual knowledge that a resident is being or has been abused, neglected, or exploited and fails to report it to DFPS.

In counties or municipalities in which permits are required for boarding homes, adds to reporting requirements to include the total number of incidents at each facility that required peace officer intervention.

Also makes it a Class A misdemeanor if a person has actual knowledge that a resident of a group home has suffered bodily injury due to assault, neglect, or an omission in care and family to report it to law enforcement or DFPS. Includes a list of circumstances exempted, including actions arising in other types of group residences like hotels, retirement communities, etc.

T [SB 1677](#)

[Perry, Charles\(R\)](#)
[Price, Four\(R\)](#)

Relating to the establishment and administration of Health and Human Services Commission programs providing mental health services to certain individuals in this state.

Companions:

HB 4467	Price, Four(R)	(Identical)
	3-21-23 H Introduced and referred to committee on House Corrections	

General Remarks:

Amends Govt Code 531 related to HB 13 and SB 292 grants to require HHSC to accept applications from applicants that were not selected as grant recipients in the previous state fiscal year or applicants that were selected but require additional funding in circumstances in which appropriated funding exceeds the total amount awarded in the previous fiscal year.

Also requires HHSC to establish procedures to assist a community collaborative that includes a county with a population <250K with submission of an SB 292 grant petition.

Also requires HHSC to, to the extent money is appropriated for that purpose, in cooperation with LMHAs located primarily in rural areas, contract with nonprofits or governmental entities to establish or expand behavioral health centers or jail diversion centers in the LMHAs' local service areas. The purpose of these will be to provide additional forensic beds and competency restoration, provide inpatient and outpatient mental health services to adults and children, and provide services to reduce recidivism and arrests, incarcerations, and emergency detentions. HHSC must develop criteria for evaluation of applications.

Requires state auditor's office to conduct an audit of the inmates in county jails waiting for a forensic bed for competency restoration. Requires a report of the audit by December 1, 2024, and includes information to be included in the report.

State Agency Issues

T HB 139	Klick, Stephanie(R) Hall, Bob(R)	Relating to the provision of notice of certain proposed rules by state agencies.
	Companions: SB 655	Hall, Bob(R) (Identical) 2-17-23 S Introduced and referred to committee on Senate Business and Commerce
	General Remarks:	Among other things, requires state agency rulemaking processes to notify primary authors and sponsors of legislation under which the rules are to be adopted.
T HB 728	Rose, Toni(D) Zaffirini, Judith(D)	Relating to the statewide interagency aging services coordinating council.
	General Remarks:	Establishes the statewide interagency aging services coordinating council to ensure a strategic statewide approach to interagency aging services.
T HB 3033	Landgraf, Brooks(R) Zaffirini, Judith(D)	Relating to attorney general decisions under the public information law.
	General Remarks:	Amends certain requirements under the Public Information Act to increase timeliness of responses. Among other things, requires a governmental body to promptly release basic information responsive to a request unless the governmental body seeks to withhold the information and regardless of whether the governmental body requests and Office of Attorney General opinion regarding other information subject to the request.
T HB 3223	Guillen, Ryan(R) Kolkhorst, Lois(R)	Relating to the management of a declared state of disaster.
	General Remarks:	Amends the Government Code to remove the requirement for the public safety director of the Department of Public Safety to appoint a commanding officer from the Texas Highway Patrol to serve as chair of each of the state's disaster district committees. Instead, the bill requires the chair of the Emergency Management Council to appoint a chair to each such committee based on the declared disaster and phase of disaster response in accordance with the National Incident Management System guidelines. Accordingly, the bill changes the person whom each committee must inform on all matters

[T HB 3462](#)

[Noble, Candy\(R\)](#)
[Sparks, Kevin \(F\)\(R\)](#)

relating to disasters and emergencies as requested from the state director of homeland security to the council chair.

Relating to the consolidation of ombudsman programs administered by the Health and Human Services Commission.

General Remarks:

Consolidates various HHSC ombudsman programs and aligns statute with changes made during HHSC Sunset review in the 84th Legislative Session.

[T HB 3466](#)

[Campos, Liz\(D\)](#)
[Campbell, Donna\(R\)](#)

Relating to the administration of a grant program for the establishment and expansion of community collaboratives.

Companions:

[SB 1641](#) Campbell, Donna(R) (Identical)
3-16-23 S Introduced and referred to committee on Senate Health and Human Services

General Remarks:

Amends existing statute related to Community Collaboratives. Adds a new priority grant criterion for entities that are significant providers of services for persons experiencing homelessness in a specific area. Adds state-funded mental health facilities to the list of programs from which the collaboratives should divert individuals. Adds a reporting requirement.

[T HB 4611](#)

[Price, Four\(R\)](#)
[Johnson, Nathan\(D\)](#)

Relating to the non-substantive revision of the health and human services laws governing the Health and Human Services Commission, Medicaid, and other social services.

General Remarks:

Makes non-substantive changes to existing statute related to HHSC, Medicaid, and other social services. Changes are meant to compile the relevant law, arrange it in a logical fashion, and rewrite it without altering its meaning or legal effect.

[T SB 24](#)

[Kolkhorst, Lois\(R\)](#)
[Frank, James\(R\)](#)

Relating to the powers and duties of the Health and Human Services Commission and the transfer to the commission of certain powers and duties from the Department of Family and Protective Services.

Companions:

[HB 4049](#) Frank, James(R) (Identical)
3-20-23 H Introduced and referred to committee on House Human Services

General Remarks: To be known as the Thriving Texas Families Act, consolidates support programs, including the Prevention and Early Intervention division at DFPS, to the Family Support Services division within HHSC under Texas Government Code. Additionally, the bill codifies the "Texas Pregnancy and Parenting Support Network" (formerly, the Alternatives to Abortion program) in order to fund services to families to promote healthy pregnancy, childbirth, and family formation; and help families achieve economic self-sufficiency.

[T SB 182](#)

[Miles, Borris\(D\)](#)
[Rose, Toni\(D\)](#)

Relating to the required report of criminal offenses committed against individuals receiving certain state agency services.

General Remarks: Requires employees of DFPS and TJJD to report criminal conduct engaged in by another employee or contractor against a person receiving services.

[T SB 956](#)

[Lamantia, Morgan \(F\)\(D\)](#)
[Longoria, Oscar\(D\)](#)

Relating to repealing the coordinated strategic plan for health and human services in this state, including related conforming amendments.

General Remarks: SB 956 repeals the requirement for HHSC to submit a coordinated strategic plan for health and human services in cooperation with DSHS. This requirement originated at a time when HHSC had no program areas of its own and served only as an oversight agency for other health and human service agencies. Under current law, HHSC and DSHS are required to biennially submit their own strategic plans along with the coordinated strategic plan for health and human services that is the focus of this bill, which combines the HHSC and DSHS strategic plans into one document. SB 956 eliminates the requirement to submit the coordinated strategic plan for health and human services to allow staff to focus on the HHSC and DSHS strategic plans.




[T SB 1659](#)

[Schwertner, Charles\(R\)](#)
[Holland, Justin\(R\)](#)

Relating to the sunset review process and certain governmental entities subject to that process.

Companions: [HB 1570](#) Holland, Justin(R) (Identical)
4-10-23 H Reported favorably from committee on House State Affairs

General Remarks: SB 1659 is the Sunset Schedule Bill. It amends various statutes to change the review cycle for certain state agencies and other entities under the Texas Sunset Act. The major HHS state agencies are not impacted by this bill.

 SB 1727	Schwertner, Charles(R) Canales, Terry(D)	<p>Relating to the continuation and functions of the Texas Juvenile Justice Department and the functions of the office of independent ombudsman for the Texas Juvenile Justice Department.</p> <p>Companions: HB 1520 Canales, Terry(D) (Identical) 4-19-23 H Committee action pending House Juvenile Justice and Family Issues</p> <p>General Remarks: SB 1727, the TJJD Sunset Bill, provides for the continuation of TJJD and the Texas Juvenile Justice Board until 2029, while also making several statutory modifications to address issues identified by the Sunset Commission. Among other things, the bill gives the Governor the option of appointing a representative from a local mental health authority with experience working with children to the Texas Juvenile Justice Board.</p>
 SB 1849	Kolkhorst, Lois(R) Noble, Candy(R)	<p>Relating to the establishment of an interagency child protection database.</p> <p>Companions: HB 4236 Noble, Candy(R) (Identical) 3-21-23 H Introduced and referred to committee on House Human Services</p> <p>General Remarks: Creates a search engine connecting the databases of reportable conduct at the Texas Education Agency, the Texas Juvenile Justice Department, HHSC, and DFPS Central Registry of abuse and neglect findings to ensure that workers who committed reportable conduct cannot gain employment in another setting.</p>
 SB 2315	Hughes, Bryan(R) Clardy, Travis(R)	<p>Relating to the creation of a task force to develop a plan for the consolidation of the functions of workforce development programs administered by the Texas Workforce Commission and social services.</p> <p>General Remarks: Establishes a task force to develop a plan for the consolidation of workforce development programs administered by Texas Workforce Commission and social services programs administered by HHSC. Although federal law currently restricts the consolidation of these federally funded services, the U.S. Congress is considering legislation to reverse federal restrictions on consolidation and that the task force would provide an opportunity for Texas to implement a consolidation plan, if and when federal law allows. The task</p>

force would consist of 9 members: three appointed by the governor, three appointed by the lieutenant governor, and three appointed by the speaker of the house.

Substance Use Disorder Issues

T [HB 6](#)

[Goldman, Craig\(R\)](#)
[Huffman, Joan\(R\)](#)

Relating to the criminal penalties for certain controlled substance offenses.

Companions:

HB 2330	Goldman, Craig(R)	(Identical)
	3- 9-23 H Introduced and referred to committee on House Criminal Jurisprudence	
SB 645	Huffman, Joan(R)	(Identical)
	4-10-23 H Referred to House Committee on House Criminal Jurisprudence	

General Remarks:

Adds new penalty group for fentanyl and derivatives, requires death certificates to include "fentanyl poisoning" or "fentanyl toxicity" if toxicology reveals it in a lethal concentration and the autopsy results are consistent with an opioid overdose.

Adds to H&S Ch. 481 regarding manufacture or delivery of a controlled substance causing death or serious bodily injury, prohibiting increasing punishment under this section if a person is also prosecuted under Penal Code section for murder.

Adds to the latter to include circumstances in which a person knowingly manufactures or delivers a controlled substance in the fentanyl penalty group and an individual dies as a result of it, regardless of whether it was used by itself or with another substance. includes a defense to prosecution if the actor's conduct in manufacturing or delivering was authorized under state or federal law.

Adds to Penal Code regarding organized crime to include unlawful possession with intent to deliver a controlled substance in the fentanyl penalty group.

T [HB 299](#)

[Murr, Andrew\(R\)](#)
[Johnson, Nathan\(D\)](#)

Relating to creating a voluntary accreditation for recovery housing.

General Remarks:

Defines "recovery house" and requires HHSC to adopt recovery house accreditation standards. Clarifies that certain types of housing are not eligible

to be accredited, such as chemical dependency treatment facilities, boarding homes, nursing facilities, etc.

Requires HHSC to submit an annual report on recovery houses and numbers accredited. Prohibits soliciting and certain advertising by a recovery house's employees or agents.

Prohibits unaccredited recovery houses from receiving state funds after September 1, 2025.

 [SB 867](#)

[West, Royce\(D\)](#)
[Rose, Toni\(D\)](#)

Relating to the recipients of opioid antagonists under the opioid antagonist program.

General Remarks:

Adds institutions of higher education to those to whom the HHSC executive commissioner may provide opioid antagonists under the opioid antagonist program.

Telehealth/Broadband

<p>T HB 9</p>	<p>Ashby, Trent(R) Huffman, Joan(R)</p>	<p>Relating to the development and funding of broadband and telecommunications services.</p>
<p>Companions: HJR 125 Ashby, Trent(R) (Enabling) 11- 7-23 G Election date</p>		
<p>General Remarks: With HJR 125, proposes a constitutional amendment to be submitted to voters in November 2023, creating the broadband infrastructure fund to expand high-speed broadband access and to assist in the financing of connectivity projects.</p>		
<p>T HB 617</p>	<p>Darby, Drew(R) Alvarado, Carol(D)</p>	<p>Relating to a pilot project to provide emergency telemedicine medical services and telehealth services in rural areas.</p>
<p>Companions: SB 251 Alvarado, Carol(D) (Identical) 2-15-23 S Introduced and referred to committee on Senate Health and Human Services</p>		
<p>General Remarks: Directs HHSC, with the assistance of the Texas Tech University Health Sciences Center, to establish a pilot project to provide emergency medical services instruction and emergency prehospital care instruction through telemedicine/telehealth provided by regional trauma resource centers.</p>		
<p>T SB 1238</p>	<p>Nichols, Robert(R) Ashby, Trent(R)</p>	<p>Relating to broadband development.</p>
<p>General Remarks: Aligns existing state statute with updated federal guidelines regarding broadband mapping and availability to ensure that the state can maximize federal funding to enhance broadband access, mapping, and eligibility.</p>		
<p>T SB 2119</p>	<p>Schwertner, Charles(R) Hunter, Todd(R)</p>	<p>Relating to the identification of areas supported by the broadband development program and a plan of the universal service fund.</p>
<p>General Remarks: Requires the Public Utility Commission of Texas to create and annually update a map with information about broadband service across the state in order to prevent duplicative efforts related to broadband and telecommunications connectivity across certain government programs.</p>		

Veterans

[T](#) [HB 621](#)

[Shaheen, Matt\(R\)](#)
[Hughes, Bryan\(R\)](#)

Relating to creating a temporary educator certification for certain military service members.

General Remarks: Allows honorably discharged veterans who served 4 years of active military duty to substitute certain education requirements and obtain a temporary teaching certificate. Such temporary teaching certificates may be issued only one time and are valid for no more than 5 years. A mentor teacher must be assigned for at least two years for certificate holders.

[T](#) [HB 671](#)

[Gonzalez, Mary\(D\)](#)
[Eckhardt, Sarah\(D\)](#)

Relating to a veterans suicide prevention campaign.

Companions: [SB 581](#) Zaffirini, Judith(D) (Identical)
2-17-23 S Introduced and referred to committee on Senate
Veteran Affairs

General Remarks: Directs the Texas Veterans Commission to conduct a suicide prevention campaign, including creating a dedicated website with suicide prevention information and collaborating with community-based organizations to conduct the campaign.

[T](#) [HB 1457](#)

[Rosenthal, Jon\(D\)](#)
[Blanco, Cesar\(D\)](#)

Relating to required military informed care or military cultural competency training for certain personnel of entities that provide mental health services to veterans.

General Remarks: Directs that a state agency may not award a grant to an entity for the provision of mental health services to veterans or their families, unless the entity: (1) has successfully executed a grant from the state agency before (2) ensures staff providing mental health services to veterans/families have training on military-informed care or military cultural competency.

[T](#) [HB 2951](#)

[Buckley, Brad\(R\)](#)
[Hancock, Kelly\(R\)](#)

Relating to the establishment of a service dog pilot program for certain veterans.

General Remarks: Creates a pilot program to pair veterans with highly-trained service dogs to help mitigate symptoms of PTSD, TBI, or military sexual trauma.

[T](#) [SB 63](#)

[Zaffirini, Judith\(D\)](#)
[Raymond, Richard\(D\)](#)

Relating to an instruction guide for family members and caregivers of veterans who have mental health disorders.

General Remarks: Requires HHSC and TVC to jointly produce and make publicly available an instruction guide for family members and caregivers of veterans who have mental health illnesses. The guide would include general education about mental health disorders; techniques for handling crisis situations and administering mental health first aid; strategies to cope with the stress of living with a person with a mental health disorder; and information about related services available from HHSC, TVC, other state agencies, community organizations, and mental health services providers.

Workforce

T [HB 113](#)

[Ortega, Lina\(D\)](#)
[Blanco, Cesar\(D\)](#)

Relating to the use of community health workers in Medicaid managed care.

Companions: [SB 74](#) Johnson, Nathan(D) (Identical)
2-15-23 S Introduced and referred to committee on Senate Health and Human Services

General Remarks: Requires HHSC to allow each MCO providing health care services under STAR Medicaid managed care to categorize services provided by a community health worker as a quality improvement cost, rather than an administrative expense.

T [HB 400](#)

[Klick, Stephanie\(R\)](#)
[Kolkhorst, Lois\(R\)](#)

Relating to innovation grant programs to support residency training programs in psychiatric specialty fields and recruitment, training, and retention programs in behavioral health fields.

General Remarks: Directs the Texas Higher Education Coordinating Board to establish innovation grant programs to award incentive payments to 1) medical schools that administer residency programs designed to increase the number of physicians in Texas who specialize in pediatric or adult psychiatric care and 2) institutions of higher education that administer recruitment, training, and retention programs designed to increase the number of mental health professionals or professionals in related fields.

Funds to support the grants may come from state appropriations, federal funds, gifts, grants, or donations.

Rules for the grant program will be developed by the Texas Higher Education Coordinating Board in consultation with: Texas medical schools (for the medical school grants) and the Texas Behavioral Health Executive Council (for the institutions of higher ed grants).

The bill further stipulates parameters for size of the grants, eligibility, and areas of priority.

T [HB 915](#)

[Craddick, Tom\(R\)](#)
[Parker, Tan \(F\)\(R\)](#)

Relating to the creation of a workplace violence hotline and a requirement that employers post notice regarding the hotline.

Companions: [SB 1543](#) Parker, Tan (F)(R) (Identical)
3-16-23 S Introduced and referred to committee on Senate
Natural Resources/Economic Development

General Remarks: Requires all employers of one or more persons to post a notice of contact information for reporting workplace violence or suspicious activity to DPS. Requires Texas Workforce Commission, in consultation with DPS, to prescribe the form and content of the notice. Notices must be placed conspicuously, in sufficient locations, and must be in English and Spanish, as appropriate.

 [HB 1211](#)

[Guillen, Ryan\(R\)](#)
[Zaffirini, Judith\(D\)](#)

Relating to repayment of certain mental health professional education loans.

General Remarks: Adds "licensed specialists in school psychology" to the mental health professionals eligible for certain loan repayment assistance. With regard to licensed specialists in school psychology, creates eligibility criteria wherein the professional must be employed by a school district or open-enrollment charter school located in a federally designated mental health professional shortage area, or a public school that receives federal funding under Title I. The specialist must also provide mental health services to students enrolled in such district or school. Requires a minimum of one year of practice in this state under such circumstances.

 [HB 1486](#)

[Gerdes, Stan \(F\)\(R\)](#)
[Whitmire, John\(D\)](#)

Relating to the adoption of a mental health leave policy for certain telecommunicators.

General Remarks: Adds "telecommunications" to current code regarding requirements for law enforcement agencies to develop and adopt policies for mental health leave for peace officers who experience a traumatic event in the scope of their employment.

"Telecommunicator" means a person acknowledged by the commission and employed by or serving a law enforcement agency that performs law enforcement services on a 24-hour basis who receives, processes, and transmits public safety information and criminal justice data for the agency by using a base radio station on a public safety frequency regulated by the Federal Communications Commission or by another method of communication.

[T](#) [HB 1755](#) [Button, Angie Chen\(R\)](#) [Alvarado, Carol\(D\)](#) Relating to the creation of the Lone Star Workforce of the Future Fund.

Companions: [SB 592](#) Alvarado, Carol(D) (Identical)
4-19-23 S Committee action pending Senate Natural Resources/Economic Development

General Remarks: Directs Texas Workforce Commission to establish the Lone Star Workforce of the Future Fund as a dedicated account in the general revenue fund to provide grants to public junior colleges, public technical institutes, and nonprofit organizations for performance-based workforce training programs focused on high-demand fields. Also establishes an advisory board to make grant recommendations.

[T](#) [HB 1996](#) [Hull, Lacey\(R\)](#) [Johnson, Nathan\(D\)](#) Relating to the regulation of group family leave insurance issued through an employer to pay for certain losses of income.

Companions: [SB 1618](#) Johnson, Nathan(D) (Identical)
3-16-23 S Introduced and referred to committee on Senate Business and Commerce

General Remarks: Stipulates that a group family leave insurance policy may provide benefits for any leave taken by an insured from work to: (1) participate in providing care for a family member for a serious health condition (2) bond with the insured's child during the first 12 months after the child's birth or adoption (3) address a qualifying exigency under the FMLA arising from another family member's active duty or impending call to active duty in the military, or (5) several other miscellaneous circumstances.

Directs other requirements related to group family leave policies, including benefits periods, waiting periods, amount of benefits, permissible limitations, exclusions, and reductions.

[T](#) [HB 1998](#) [Johnson, Julie\(D\)](#) [Hall, Bob\(R\)](#) Relating to the regulation of physicians and the disciplinary authority of the Texas Medical Board.

General Remarks: Requires TMB to collect a \$15 surcharge at registration and renewals to cover the cost of administering a continuous query on the National Practitioner Data Bank. Requires TMB to run this continuous query and, within 10 working days

of a finding of new information, update a physician's profile to include any new or changed reports of disciplinary action and remove dismissed or voided reports.

Also makes ineligible for licensure an applicant whose license was revoked in another state or Canadian province for a reason that would be grounds for license revocation in Texas. Requires license holders seeking renewal to submit fingerprints and for TMB to submit them to DPS for a criminal record check.

T [HB 2100](#)

[Price, Four\(R\)](#)
[Schwertner, Charles\(R\)](#)

Relating to eligibility requirements for student loan repayment assistance for certain mental health professionals.

Companions: [SB 804](#) Schwertner, Charles(R) (Identical)
4- 6-23 S Voted favorably from committee on Senate Subcommittee on Higher Education

General Remarks: Allows mental health professionals to establish eligibility to participate in loan repayment assistance if they provide services to state hospital or LMHA clients, regardless of whether the facility is in a mental health professional shortage area.

T [HB 2453](#)

[Guillen, Ryan\(R\)](#)
[Parker, Tan \(F\)\(R\)](#)

Relating to the issuance of digital licenses by a licensing agency.

General Remarks: Allows licensing authorities that issue occupational licenses to issue digital licenses. Licenses must be in a secure format and must be viewable by the public through a website or QR code.

T [HB 2468](#)

[Burrows, Dustin\(R\)](#)
[Perry, Charles\(R\)](#)

Relating to the eligibility of an injured employee for lifetime income benefits under the workers' compensation system.

Companions: [SB 1033](#) Perry, Charles(R) (Identical)
3- 3-23 S Introduced and referred to committee on Senate Business and Commerce

General Remarks: Updates code related to lifetime income benefits under workers' compensation to add a section related to benefits for certain first responders (includes peace officers, EMTs, firefighters). Such employees or volunteers are entitled to

receive benefits if they sustain a serious bodily injury in the course and scope of employment or volunteer service that renders them permanently unemployable. Also includes timeframes and requirements for insurance carrier review of continuing entitlement. Also updates language related to lifetime income benefits for people who have had a TBI.

T SB 25

[Kolkhorst, Lois\(R\)](#)
[Klick, Stephanie\(R\)](#)

Relating to support for nursing-related postsecondary education, including scholarships to nursing students, loan repayment assistance to nurses and nursing faculty, and grants to nursing education programs.

General Remarks:

Among other provisions, directs the Higher Education Coordinating Board to establish and administer grant programs for: -- eligible clinical sites to support the use of nurse preceptors in providing clinical training to nurses -- clinical sites that create and operate innovative pilot programs to address common nursing concerns -- nursing education programs to provide funding for qualified nursing staff working at clinical sites who serve as part-time nursing faculty --clinical sites to provide funding for qualified nursing faculty who seek to obtain additional training by working part-time in a clinical site.

T SB 240

[Campbell, Donna\(R\)](#)
[Howard, Donna\(D\)](#)

Relating to workplace violence prevention in certain health facilities.

Companions:

[HB 112](#)

Howard, Donna(D) (Identical)

4-17-23 H Laid on the table - subject to call - see SB 240

General Remarks:

Directs certain facility types to adopt and implement a written workplace violence prevention policy. Facility types include mental hospitals licensed under Chapter 577.

T SB 401

[Kolkhorst, Lois\(R\)](#)
[Harless, Sam\(R\)](#)

Relating to prices charged by medical staffing services agency during a declared state of disaster.

General Remarks:

Prohibits price gouging by medical staffing services agencies during a designated public health disaster period. Includes agencies providing physician assistants, surgical assistants, nurses, and nurse aides. Violators are subject to civil penalties of up to \$10,000 per violation.

T [SB 415](#)

Last Action: 5-29-23 G Sent to the Governor

[Paxton, Angela\(R\)](#)
[Smith, Reggie\(R\)](#)

Relating to continuing education requirements for physicians regarding the identification and assistance of trafficked persons.

Companions:

[HB 454](#) Smith, Reggie(R) (Identical)
4- 3-23 H Committee action pending House Public Health

General Remarks:

Updates requirements related to continuing education regarding trafficked persons to require physicians who designate a direct patient care practice on a renewal application to complete at least 1 hour of continuing education on identification and assistance of trafficked persons in the first renewal period and at least once every 3rd renewal period, if the board approves more than one course in this area. Requires board to seek input from affected persons in adopting rules for continuing education content.

Additional subsection requires all physicians licensed as of 09/01/2023 to complete at least 1 hour of continuing education on identification and assistance of trafficked persons. Subsection expires 01/01/2024.

T [SB 422](#)

[Paxton, Angela\(R\)](#)
[Wilson, Terry\(R\)](#)

Relating to the authority of certain military service members to engage in a business or occupation in this state.

General Remarks:

Adds military service members to current Occupations Code related to licensure for military spouses. Allows military service members to engage in a business or occupation for which a license is required without obtaining the applicable license if the member is currently licensed in good standing by another jurisdiction with substantially similar licensure requirements.

T [SB 532](#)

[West, Royce\(D\)](#)
[Kuempel, John\(R\)](#)

Relating to repayment of certain mental health professional education loans.

Companions:

[HB 1551](#) Anchia, Rafael(D) (Identical)
3- 3-23 H Introduced and referred to committee on House Higher Education

General Remarks:

Requires institutions of higher education to provide entering students with a campus map identifying any location at which mental health services are provided to students and information regarding how to access the services. At

least one such location must be identified on an on-campus orientation tour, if provided.

Also allows mental health professionals to establish eligibility to participate in loan repayment assistance if they provide services to state hospital or LMHA clients, regardless of whether the facility is in a mental health professional shortage area. Also requires Higher Education Coordinating Board to administer the loan repayment program that allows for continuous approval or disapproval of applications, determinations of eligibility, and acceptance of eligible applicants.

T [SB 1343](#)

[Lamantia, Morgan \(F\)\(D\)](#)
[Moody, Joe\(D\)](#)

Relating to the composition of the Texas Board of Nursing and procedures applicable to complaints against advanced practice registered nurses.

Companions:

[HB 2635](#)

Moody, Joe(D)

(Identical)

4-24-23 H Committee action pending House Public Health

General Remarks:

Updates the composition of the Texas Board of Nursing to require inclusion of 2 APRNs (formerly 1). Also requires the Board to provide for appointment of APRNs to act as expert reviewers related to alleged standard of care violations by APRNs. When the Board determines that an act by an APRN falls below an acceptable standard of care, requires it to refer the complaint for review by an expert reviewer that practices in the same role and population focus as the subject of the complaint, except when the act alleged is within the scope of practice to a nurse who is not an APRN or is considered unprofessional conduct. Includes other related requirements.

T [SB 1429](#)

[Hinojosa, Chuy\(D\)](#)
[Herrero, Abel\(D\)](#)

Relating to the use of standardized examinations by a school of nursing or educational program.

General Remarks:

Directs the Texas Board of Nursing to adopt rules placing limitations on how nursing schools and related educational programs may use standardized exams prepared by private entities.