

86th Legislative Session Wrap - Up

Bills Related to NASW-TX Legislative Agenda

This was a big session for NASW/TX, as we finally got our Sunset Bill passed and signed by the Governor. As you may recall from both last session and the last special session, the sunset bill for the Texas State Board of Social Worker Examiners came close to passing but was ultimately felled by discussions around the bathroom bill. We were back at the Capitol and this was our priority issue this session, and along with our coalition partners (Texas Counseling Association, Texas Association of Marriage and Family Therapists and the Texas Society for Clinical Social Work) we worked hard to get the best possible bill passed. We again faced opposition from the Texas Psychological Association, and they made the road to passage a lot bumpier than it should have been. But ultimately HB 1501 passed with all our requested language. We now have a new agency, the Behavioral Health Executive Council, to oversee the boards of the four major mental health providers, and a way to directly advocate for funding from the legislature.

Our other major legislative agenda items didn't fare quite as well this session, but we did receive hearings on a few key issues. The school social work services bill (HB 239) had a great hearing, was unanimously voted out of committee, and then never reached the floor for a vote. We were able to pull two Republicans onto the bill as co-authors, and had good support, but we received some pushback based on conservative concerns about the ways social workers engage with students and in the school community. We plan on aggressively fighting for this issue next session. We also had a hearing on our pay parity bill (HB 1094). This bill requires LCSW's, LPC's and LMFT's to be reimbursed at 100% of Medicaid and allows members of those professions under supervision for their clinical license to bill at 70%. We plan on bringing this bill back as well.

Our CPS Education Requirements Bill (HB 141) did not get a hearing this session. We plan on discussing this issue with the new Commissioner of DFPS during the interim. HB 1358, which would have set up a pilot program for probation and parole departments interested in bringing in a social worker to assist with case management procedures, and HB 4572, which created an Independent Health Plan Monitor to review Medicaid claims, were likewise not heard.

On HB 906 we were not the lead advocates, but we helped draft the bill in the interim, and social workers are explicitly cited as a resource for program review. We also tried to get our school social work services bill added as an amendment but were asked to pull it down at the last minute.

Bill Number	Author	Bill Description	NASW Stance	Outcome
HB 141	González (D)	Relating to minimum education requirements for child protective services caseworkers.	Support	Referred to Human Services.
HB 239	Farrar (D)	Relating to social work services in public schools.	Support	Made it out of committee. Never reached the House floor.
HB 906	Thompson (D)	Relating to the establishment of a collaborative task force to study certain public-school mental health services.	Support	Signed by the Governor 6/14/2019.
HB 1094	Moody (D)	Relating to the provision of counseling services by certain providers under Medicaid and reimbursement for those services.	Support	Committee hearing. Not voted out.
HB 1358	White (R)	Relating to grants for community supervision and corrections departments for supervision officer caseload management.	Support	Referred to Corrections.
HB 1501	Nevárez (D)	Relating to the creation of the Texas Behavioral Health Executive Council and to the continuation and transfer of the regulation of psychologists, marriage and family therapists, professional counselors, and social workers to the Texas Behavioral Health Executive Council; providing civil and administrative penalties; authorizing a fee.	Support	Signed by the Governor 6/10/2019.
HB 4572	Raymond (D)	Relating to the establishment of the independent provider health plan monitor for certain appeals in the Medicaid managed care program.	Support	Referred to Human Services.

Bills Related to the Department of Family and Protective Services

As compared to last session, this was not a particularly productive session for child welfare. The legislature declined to put any real money into prevention, funding that area with less than \$5 million in new dollars. You can see a detailed breakdown of the budget provided by the Child Protection Roundtable [HERE](#). Providers did see a rate increase with \$12 million in additional funding, and Community Based Care (privatization) was almost \$67 million in new funds. This funds Phase II, or the transfer of case management services, in three regions (Fort Worth, San Antonio and Abilene/Wichita Falls) and the implementation of community care as Phase I in two new regions (an area outside of Sa Antonio and the Panhandle). Interestingly, the contractor for the Panhandle region was recently selected and the contractor will be St Francis Ministries out of Kansas. This will be the first region under the auspices of an organization with no ties to Texas or the communities they cover.

From a policy standpoint, the bills heard on CPS were all over the spectrum. Numerous bad bills that got hearings were aimed at reducing removals for abuse and neglect by focusing on raising the bar for abuse and neglect rather than providing supports to communities. We saw bills that sought to raise the standard for reporting, place a higher threshold on what constitutes neglect, require judges to consider the trauma inherent in foster care in potentially adverse ways and other legislation that would otherwise make CPS' job more challenging. While the impetus behind these bills is important to the conversation regarding the impact of foster care on kids and families, they sometimes came out heavy handed and minimized risks to kids, and NASW ended up opposing quite a few of them.

Other bills aimed at improving the child welfare system and that NASW supported either weren't heard or didn't pass. Legislation that would have made the entire system trauma informed made it out of committee but never reached the House floor. Legislation that would have supported kids aging out of care never moved. And even our CPS education requirements bill failed to gain a hearing.

We did see some legislation pass though. A bill that sought to put Texas in a position to be more prepared for the [Family First Act](#) died before getting a hearing, but language was amended onto SB 355 by Senator West. This bill did pass and requires the Department to develop a strategic plan to coordinate services for kids entering care and better leverage our state dollars for Family First. HB 475 ensures that pregnant and parenting youth will receive information aimed at supporting their role as a new parent. And there was some support for better responses for homeless foster youth in HB 811, which requires schools to consider a child's living situation when considering disciplinary action.

On a positive note for Adult Protective Services, APS caseworkers did receive \$9,000 raises. While this isn't as large as the \$12,000 CPS caseworkers got in 2016, it should stop the loss of workers from APS to CPS and is a better recognition of the challenges inherent in the work.

Bill Number	Author	Bill Description	NASW Stance	Outcome
HB 72	White (R)	Relating to the provision of Medicaid benefits to certain children formerly in the conservatorship of the Department of Family and Protective Services. Allows adoptive parents to choose STAR Health to continue Medicaid services.	Support	Signed by the Governor 6/14/2019.
HB 123	White (R)	Relating to personal identification documents for foster children or youth or homeless children or youth. Allows youth to receive birth certificates without parental consent or a fee and waives the fee for driver's licenses and ID's.	Support	Signed by the Governor 6/14/2019.
HB 475	Howard (R)	Relating to information for foster children who are pregnant or minor parents.	Support	Signed by the Governor 6/14/2019.
HB 811	White (R)	Relating to determining appropriate disciplinary action to be taken against a public-school student who is in foster care or who is homeless.	Support	Signed by the Governor 5/24/2019.
HB 988	Walle (D)	Relating to employee caseload limit goals for child and adult protective services and child-care licensing services and call processing goals for certain of those services.	Support	Left pending in committee.
HB 1536	Miller (R)	Relating to trauma-informed care for children in the conservatorship of the Department of Family and Protective Services, trauma-informed care training for certain department employees, and the establishment of the Trauma-Informed Care Task Force.	Support	Voted out of committee. Didn't reach House floor.
HB 2363	Harris (R)	Relating to permitting certain foster homes to store firearms and ammunition in the same locked location.	Oppose	Signed by the Governor 6/14/2019.

HB 3390	Sanford (R)	Requires the Department and other supports (attorneys ad litem, guardians ad litem, etc.) to ask the child about caregiver placements. Requires judges to ask about their relationships at court hearings.	Support	Signed by the Governor 6/14/2019.
HB 3393	Johnson, J (D)	Relating to the eligibility of foster children to receive college credit for completing the Preparation for Adult Living Program.	Support	Referred to committee.
HB 3950	Frank (R)	Relating to the establishment of the Joint Committee on Child Welfare.	Support	Voted out of both chambers. Died in conference committee.
HB 4189	Middleton (R)	Relating to the duty of certain professionals to report child abuse and neglect. Requires actual knowledge of child abuse rather than suspected concerns.	Oppose	Left pending in committee.
SB 355	West (D)	Relating to developing a strategic plan regarding implementation of prevention and early intervention services and community-based care and conducting a study regarding the resources provided to foster parents.	Support	Signed by the Governor 6/14/2019.
SB 480	Watson (D)	Relating to the Preparation for Adult Living Program and other services for foster children transitioning to independent living.	Support	Referred to committee.
SB 781	Kolkhorst (R)	Relating to the regulation of child-care facilities. Requires DFPS to reduce the number of youths who run away through more normalcy activities and sets up a standard of contracting that is more performance-based.	Support	Signed by the Governor 6/2/2019.

Bills Related to LGBTQ+ Rights

This was an interesting session for issues surrounding the LGBTQ+ population. In a momentous occasion, the first ever LGBTQ Caucus was formed in the House. Consisting of five Reps (all female), with several allies (all Democrats) the Caucus had an initial press conference at the start of the session where NASW was present and on the dais. They had their coming out party late in session by killing the “Save Chick-Fil-A” bill (a misnomer for what the bill did), although it was resurrected in the Senate and ultimately passed. Still, they showed they are a shrewd legislative force, and their members drew on both their personal experiences and their policy platforms as they stood up for equality in Texas.

There were 20 major anti-LGBTQ bills filed this session, but only the “Save Chick-Fil-A” bill passed as SB 1978. The Chick-Fil-A moniker got attached after San Antonio voted to remove Chick-Fil-A from their airport because of their stance towards LGBTQ issues, but the bill doesn’t do much. The version filed was particularly odious, but the bill that passed simply allows anyone to maintain membership in any organization, church or religion that holds any beliefs regarding LGBTQ issues. Since this is already allowed, it basically just makes the current law more explicit.

Of the other bad bills, SB 17, which would have allowed any license holder in Texas to discriminate based on a sincerely held religious belief, died in the House, HB 1035, which took a kitchen sink approach to discrimination, died in committee, and HB 1910, which removed a court’s ability to consider a child’s gender identity when conducting a placement hearing, also died in committee. NASW testified against all these bills.

On the positive side, this was the first time ever that an anti-conversion therapy bill was heard. Romeo and Romeo (or Juliet and Juliet), made it to the House floor. This bill removes the opposite sex provision from Texas' Romeo and Juliet laws. Bills protecting sexuality and gender identity from any discrimination received hearings, and overall, there was a more open set of hearings regarding LGBTQ issues. But since none of this legislation passed, we still have a long way to go as a state.

Bill Number	Author	Bill Description	NASW Stance	Outcome
HB 85	González (D)	Relating to the prosecution of the offense of indecency with a child. Removes the opposite sex provision for Romeo and Juliet.	Support	Voted out of committee. Didn't reach House floor.
HB 244	Farrar (D)	Relating to the prohibition of certain discrimination based on sexual orientation or gender identity or expression; providing an administrative penalty; creating a criminal offense.	Support	Left pending in committee.
HB 517	Israel (D)	Relating to unprofessional conduct by mental health providers who attempt to change the sexual orientation of a child; providing penalties. Bans conversion therapy.	Support	Left pending in committee.
HB 850	Johnson, E (D)	Relating to the prohibition of employment discrimination based on sexual orientation or gender identity or expression.	Support	Left pending in committee.
HB 1035	Zedler (R)	Relating to protecting freedom of conscience from government discrimination.	Oppose	Left pending in committee.
HB 1513	Coleman (D)	Adds gender identity to the James Byrd Jr. Hate Crimes Act.	Support	Left pending in committee.
HB 1910	Dean (R)	Relating to consideration of a child's gender identity or expression in suits affecting the parent-child relationship and other proceedings involving children. Does not allow a court to consider a parent's treatment of a child's gender identity.	Oppose	Left pending in committee.
SB 17	Perry (R)	Relating to discrimination by a state agency against an applicant for or holder of an occupational license. Allows a license holder to refuse services based on a sincerely held religious belief.	Oppose	Passed Senate. Didn't receive a hearing in the House.
SB 85	Hall (R)	Relating to the regulation of the conduct of certain counseling professions. Allows a mental health provider to refuse services based on a sincerely held religious belief.	Oppose	Referred to committee.

SB 1978	Hughes (R)	Relating to the protection of membership in, affiliation with, and support provided to religious organizations.		Signed by the Governor 6/10/2019.
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Bills Related to Mental Health

The Legislature passed a \$251 billion budget that includes \$4.3 billion in funding for behavioral health. However, mental health took somewhat of a backseat to other discussions this session from a policy standpoint and made its most gains in the area of education. HB 18 and HB 19 increased the partnerships between schools and LMHA's and brought new training into staff in schools. HB 906 allows the state to evaluate which mental health programs are and aren't working. There was still a lot of pushback to mental health in schools this session, and somewhat unexpectedly a few groups on the right came out against increasing mental health supports in the education setting. Also, dollars that could have gone to mental health went to school hardening.

Outside of the realm of education, we saw legislation that created the Texas Child Mental Health Care Consortium. Originally filed as SB 10, it went down to a point of order in the House and was amended onto the big school mental health bill SB 11. It adds about \$100 million to develop psychiatric consultation services and training for pediatricians, expands telehealth and telemedicine services and adds more funding to psychiatric loan repayment programs. NASW attempted to double the mental health provider loan repayment program from \$2 million to \$4 million but was rebuffed in our efforts.

Other legislation establishes a statewide behavioral health coordinating council to create a strategic approach to behavioral health services, and a lot of new dollars and support to treat substance abuse in the state. Suicide prevention also received some good support from the legislature, but it was somewhat of a mixed bag. The new statewide behavioral health coordinating council will issue a report on suicide rates in Texas, but trainings in schools were not funded.

Bills that would have exempted a person with an IDD or a serious mental illness from the death penalty likewise didn't pass, and overall the legislature seemed to think that the large amounts put towards mental health last session really fixed the issue.

Bill Number	Author	Bill Description	NASW Stance	Outcome
HB 10	Thompson (D)	Relating to the creation of the Texas Mental and Behavioral Health Research Institute.	Support	Passed House. Passed out of committee in Senate.
HB 18	Price (R)	Relating to consideration of the mental health of public school students in training requirements for certain school employees, curriculum requirements, counseling programs, educational programs, state and regional programs and services, and health care services for students and to mental health first aid program training and reporting regarding local mental health authority and school district personnel.	Support	Signed by the Governor 6/2/2019.
HB 19	Price (R)	Relating to mental health and substance use resources for certain school districts.	Support	Signed by the Governor 6/14/2019.

HB 253	Farrar (D)	Relating to a strategic plan to address postpartum depression.	Support	Signed by the Governor 6/14/2019.
HB 870	Price (R)	Relating to Medicaid telemedicine and telehealth services.	Support	Passed out of committee in House.
HB 906	Thompson (D)	Relating to the establishment of a collaborative task force to study certain public-school mental health services.	Support	Signed by the Governor 6/14/2019.
HB 1312	Moody (D)	Relating to the provision of on-campus mental health services by a school district and reimbursement under Medicaid for certain services provided to eligible students.	Support	Passed out of committee in House.
HB 1335	Price (R)	Relating to the establishment of school-based behavioral health centers by public schools and a grant program administered by the executive commissioner of the Health and Human Services Commission for the operation of those centers.	Support	Passed out of committee in House.
HB 1669	Lucio (D)	Relating to increasing and improving the mental health and substance use disorder workforce in this state and increasing the capacity of local mental health authorities to provide access to mental health services in certain counties.	Support	Passed House. Received by the Senate.
HB 1936	Rose (D)	Relating to the applicability of the death penalty to a capital offense committed by a person with severe mental illness.	Support	Passed House. Received by the Senate.
HB 2813	Price (R)	Relating to the statewide behavioral health coordinating council.	Support	Signed by the Governor 6/10/2019.
HB 3285	Sheffield (R)	Relating to programs and initiatives to prevent and respond to opioid addiction, misuse, abuse, and overdose and identify and treat co-occurring substance use disorders and mental illness.	Support	Signed by the Governor 6/14/2019.
HB 3980	Hunter (R)	Relating to a requirement that the Statewide Behavioral Health Coordinating Council prepare a report regarding suicide rates in this state and state efforts to prevent suicides.	Support	Signed by the Governor 6/14/2019.
HCR 137	Hunter (R)	Designating September as Suicide Prevention Month for a 10-year period beginning in 2019.	Support	Signed by the Governor 5/28/2019.
SB 10	Nelson (R)	Relating to the creation of the Texas Mental Health Care Consortium.	Support	*Passed as amendment to SB 11
SB 435	Nelson (R)	Relating to recommendations by local school health advisory councils regarding opioid addiction and abuse education in public schools.	Support	Signed by the Governor 5/31/2019.
SB 1177	Menéndez (D)	Relating to offering certain evidence-based services in lieu of other mental health or substance use disorder services by a Medicaid managed care organization.	Support	Signed by the Governor 6/14/2019.

SB 1390	Menéndez (D)	Relating to suicide prevention in public school curriculum and certain educational programs concerning suicide prevention and substance abuse prevention.	Support	Passed Senate. Passed out of committee in House.
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Bills Related to Education

This was the Education session. From a funding perspective, Article III (the Education part of the budget) came out as the big winner. \$11.6 billion was put into a school finance package that allocated \$6.5 billion for new spending for schools and \$5.1 billion towards property taxes. In total, the state budget has about \$94.5 billion on education, which includes funding for public schools and universities. The education portion of the budget grew 10% over last session.

HB 3, the omnibus school finance reform bill passed out of the House with a 148-1 vote and went on to clear the Senate towards final passage. The bill provides billions of dollars to public schools and includes important programmatic changes such as full-day pre-K and dyslexia and dual language funding. It also increases the basic allotment. The full-day Pre-K is a big deal: any child in Texas eligible for Pre-K is now covered for the full day. The \$780 million the Legislature allocated towards this area places Texas first among spending for Pre-K.

SB 11 put \$100 million into school hardening. Some of these dollars can be used for mental health supports, but most of them are earmarked for metal detectors, bullet proof windows, concrete barriers and other physical supports. We also saw SB 2432, which immediately removes students to an alternative education setting for harassment, and this can include comments which embarrass a school employee.

HHSC asked for \$72.6 million in additional ECI funding but received only \$31 million. This is still the largest increase this area has seen in years and makes some gains in reversing the cuts from a few years back. The Legislature also passed several bills aimed at addressing safety in childcare settings.

Bill Number	Author	Bill Description	NASW Stance	Outcome
HB 3	Huberty (R)	Public Education finance reform	Support	Signed by the Governor 6/12/2019.
HB 12	Davis (R)	Relating to early childhood intervention and rehabilitative and habilitative services.	Support	Passed House. Received by Senate.
HB 55	González (D)	Relating to requiring the reporting of certain information regarding prekindergarten programs provided by or on behalf of school districts.	Support	*Passed as amendment to HB 3.
HB 111	González (D)	Relating to public school policy and training for public school employees addressing the prevention of sexual abuse, sex trafficking, and other maltreatment of certain children	Support	Signed by the Governor 5/31/2019
HB 455	Allen (D)	Relating to policies on the recess period in public schools. Required the Texas Education Agency (TEA) to develop a model policy on recess that encourages age-appropriate outdoor physical activities.	Support	Vetoed by Governor.

HB 680	Deshotel (D)	Relating to the powers and duties of the Texas Workforce Commission and local workforce development boards regarding the provision of childcare.	Support	Signed by the Governor 6/14/2019.
HB 1387	Hefner (R)	Relating to the number of school marshals that may be appointed to serve on a public-school campus or at a private school. Removes caps on the number of school marshals who can serve a public or private school.	Oppose	Signed by the Governor 6/6/2019.
HB 1635	Miller (R)	Relating to health benefit plan coverage for early childhood intervention services. Required most private insurance companies to cover ECI services.	Support	Passed House. Received by Senate.
HB 3630	Meyer (R)	Relating to prohibiting the use of certain aversive techniques on students enrolled in public schools.	Support	Signed by the Governor 6/14/2019.
SB 3	Taylor (R)	Relating to additional funding to school districts for classroom teacher and librarian salaries.	Neutral (supported parts and opposed others)	Passed Senate. Referred to committee in the House.
SB 11	Taylor (R)	Relating to policies, procedures, and measures for school safety and mental health promotion in public schools and the creation of the Texas Child Mental Health Care Consortium.	Neutral (supported parts and opposed others)	Signed by the Governor 6/6/2019.
SB 568	Huffman (R)	Relating to the regulation of child-care facilities and family homes; providing administrative penalties.	Support	Signed by the Governor 6/10/2019.
SB 2432	Taylor (R)	Relating to the removal of a public-school student from the classroom following certain conduct.	Oppose	Signed by the Governor 6/10/2019.

Bills Related to Criminal Justice

Criminal justice fared much like mental health this session – more of an afterthought than a priority. And like mental health, many of the criminal justice reforms for kids took place in the education setting. A bill that collects more data on school suspensions, including looking at race, passed and the aforementioned HB 811 ensures that homeless youth in foster care won't be immediately removed from their school. HB 876 made it on as an amendment to SB 11, and it requires school resource officers to be better trained at engaging with youth.

Raise the Age failed again. The biggest block to that is Senator John Whitmire (D – Houston), and it, looks like this bill won't move while he's Chair of the Senate Criminal Justice Committee. We also saw a bill that would remove the criminal penalties for prostitution by a minor vetoed by the Governor, with no real adequate explanation given.

DPS got a \$1 million rider for a safe firearm storage campaign.

Bill Number	Author	Bill Description	NASW Stance	Outcome
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HB 65	Johnson, E (D)	Relating to reporting information regarding public school disciplinary actions.	Support	Signed by the Governor 6/14/2019.
HB 344	Dutton (D)	Relating to the age of criminal responsibility and to certain substantive and procedural matters related to that age. Raise the age.	Support	Passed out of committee in the House.
HB 601	Price (R)	Relating to criminal or juvenile procedures and reporting requirements regarding persons who are or may be persons with a mental illness or an intellectual disability.	Support	Signed by the Governor 6/14/2019.
HB 876	Allen (D)	Relating to the model training curriculum and required training for school district peace officers and school resource officers.	Support	*Passed as amendment to SB 11.
HB 1771	Thierry (D)	Relating to a prohibition on prosecuting or referring to juvenile court certain persons for certain conduct constituting the offense of prostitution and to the provision of services to those persons. Removed prostitution as a criminal offense for youth.	Support	Vetoed by Governor.
HB 2229	Johnson, J (D)	Relating to a report of information concerning juvenile offenders committed to the Texas Juvenile Justice Department who have been in foster care.	Support	Signed by the Governor 6/10/2019.
HB 2737	Wu (D)	Relating to judicial guidance related to child protective services cases and juvenile cases.	Support	Signed by the Governor 6/10/2019.
SB 1746	Miles (D)	Relating to the inclusion of certain students as students at risk of dropping out of school. Expands the list of students considered at risk to those who have been incarcerated or had an incarcerated parent.	Support	Signed by the Governor 6/2/2019.

Bills Related to Immigration

Unlike last session, we didn't really see a whole lot of efforts put towards immigration this session. The Legislature again committed \$800 million to the border, and there were discussions about the influx of families, but nothing substantial passed. The Legislature did remove an extra \$100 million that Governor Abbott wanted for a border protection surge.

The Mexican American Latino Caucus (MALC) held hearings before the session on the crisis, but these really went nowhere in the session. The Texas Legislature largely punted to the federal government, although any bill that could be supportive of illegal immigrants or non-citizens was basically dead on arrival. It's still a political issue, and the overwhelming stance of the Republican Party in Texas is one of opposition.

This may change in the interim. The Committee on Homeland Security & Public Safety is set to meet jointly in July of 2019 with the committee on International Relations and Economic Development to hear testimony on issues related to the increase in asylum-seeking migrant families at the Texas-Mexico border.

Bills Related to Health Care

Heading into this session transparency in Medicaid was a big issue. Representative Sarah Davis held numerous interim hearings focused on the fundamental issues in the managed care system in Texas. For an excellent overview of the issue see the Dallas Morning News' "Pain & Profit" eight-part series of article found

[HERE](#). There are major problems in our healthcare systems in Texas, all stemming from Texas auspicious role as the state with the highest number of uninsured citizens. With over 4.8 million Texans without insurance, we also have the highest number of children and women of child-bearing age lacking coverage. This is compounded by our Medicaid system, which has a lot of issues: the provider complaint system is challenging to navigate, our authorization system for coverage is rife with errors, and there's no real accounting for how the dollars are spent by the MCO's.

The biggest reform bill, HB 2453, didn't pass, but parts of it were carved up and added as amendments to SB 1095, SB 1207 and HB 4533. Likewise, parts of SB 1105 were added onto HB 4533 as well. The legislature did create an external IRO process in Medicaid and for denials of services and prior authorizations were streamlined. Medication access for children with disabilities was included in the reforms, but once again providers were more of a secondary concern rather than a primary focus.

Probably the bill that will have the biggest impact to Texans is SB 1264 – it prevents surprise medical billing (also known as balance billing, occurs when someone seeks care at an in-network facility but receives treatment or services from a provider that is out of network) from impacting a person's credit. And for the first time ever a bill was heard that would have authorized HHSC to engage in discussions with the federal government on Medicaid Expansion. HB 565 by Rep Coleman unfortunately never made it out of committee, however.

Bill Number	Author	Bill Description	NASW Stance	Outcome
HB 342	Cortez (D)	Relating to eligibility for the medical assistance program and enrollment in the child health plan program. 12-month eligibility for kids in Medicaid.	Support	Voted out of committee.
HB 565	Coleman (D)	Relating to healthcare coverage in this state. Medicaid Expansion bill.	Support	Heard in committee.
HB 1879	Davis (R)	Auto-enrolled young adult females into Healthy Texas Women (HTW) after they age-out of Children's Medicaid and CHIP and are no longer eligible for those programs.	Support	Voted out of committee.
HB 2091	Ortega (D)	Relating to the use of promotoras and community health workers in Medicaid managed care.	Support	Voted out of House. Received by Senate.
HB 2453	Davis (R)	Relating to the operation and administration of Medicaid, including the Medicaid managed care program.	Support	Voted out of committee.
HB 2536	Oliverson (R)	Relating to transparency related to drug costs.	Support	Signed by the Governor 6/14/2019.
HB 4533	Klick (R)	Relating to the administration and operation of Medicaid, including Medicaid managed care and the delivery of Medicaid acute care services and long-term services and supports to certain persons.	Support	Signed by the Governor 6/14/2019.
SB 670	Buckingham (R)	Relating to telemedicine and telehealth services. Allows reimbursement for providers delivering telemedicine services already covered by Medicaid; adds Federally Qualified Health Centers (FQHCs) as telemedicine providers.	Support	Signed by the Governor 6/14/2019.

SB 1037	Taylor (R)	Relating to limitations on the information reported by consumer reporting agencies.	Support	Signed by the Governor 5/31/2019.
SB 1105	Kolkhorst (R)	Directs HHSC to implement a no-wrong-door system for Medicaid managed care grievances; establishes a procedure for expedited resolution of a Medicaid-related grievance; and publishes quality and health outcome data for each Medicaid health plan in an easy-to-read format.	Support	*Passed as an amendment to HB 4533
SB 1235	Buckingham (R)	Relating to the enrollment of health care providers in Medicaid. Streamlines expedited credentialing.	Support	Voted out of Senate. Died on the House floor.
SB 1264	Hancock (R)	Relating to consumer protections against certain medical and health care billing by certain out-of-network providers. Surprise billing.	Support	Signed by the Governor 6/14/2019.
SB 1564	West (D)	Improves access to medication-assisted treatment for Texans with substance use disorder by authorizing Medicaid reimbursement for the prescribing of buprenorphine by an advanced practice registered nurse.	Support	Signed by the Governor 6/10/2019.

Bills Related to Women's and Children's Health

This really could have been the session for Texas to address the issue of maternal mortality. The number one recommendation by the Texas Maternal Mortality Task force was an extension of Medicaid for new moms from 2 months post-partum up to 12. This didn't pass. We also could have supported kids on Medicaid by passing 12-month continuous eligibility. Currently, children are re-checked for eligibility at 6 months, and monthly thereafter. Quite a few eligible children are removed due to clerical and other errors. This didn't pass, even though we worked hard to add it as a late amendment to another bill.

We did see a couple of bills pass that impact the medical transportation program. Uber and Lyft (and other companies that provide rides) are now able to take moms and kids to doctor's appointments. We also saw SB 750 pass, and it sets up a package of services in the Healthy Texas Women program for new mothers who are transitioning off Medicaid. It should be noted that Healthy Texas Women is not insurance, and so if a mother needs a more extensive evaluation or referral that would likely fall out of the scope of the services covered.

In the area of access to reproductive services we saw SB 22 pass. It prevents local municipalities and counties from contracting with any providers linked to abortions, basically barring Planned Parenthood from providing women's health services through local dollars. This may have far reaching impacts, as Planned Parenthood only provides a small number of abortions. Most of their work with women is done in screenings, access to contraception and other services around family health.

Bill Number	Author	Bill Description	NASW Stance	Outcome
HB 25	González, M (D)	Relating to a pilot program for providing services to certain women and children under the Medicaid medical transportation program.	Support	Signed by the Governor 6/10/2019.
HB 253	Farrar (D)	Relating to a strategic plan to address postpartum depression. Requires the HHSC to develop a plan to	Support	Signed by the Governor 6/14/2019.

		improve access to screening, referral, treatment, and support services for postpartum depression.		
HB 541	González, M (D)	Clarifies that Texas mothers may use a breast pump in public.	Support	Signed by the Governor 6/10/2019.
HB 744	Rose (D)	Relating to the Medicaid eligibility of certain women after a pregnancy. 12 Months Medicaid coverage.	Support	Voted out of the House and received by the Senate.
HB 1111	Davis (R)	Establishes a pregnancy medical home pilot program to coordinate maternity care; establishes a pilot program to improve care coordination services for women at higher risk for poor pregnancy, birth, or postpartum outcomes; and directs HHSC to develop a program to deliver prenatal and postpartum care through telehealth services, among other provisions.	Support	*Passed as an amendment to SB 748
SB 22	Campbell (R)	Relating to prohibiting certain transactions between a governmental entity and an abortion provider or affiliate of the provider. Bars organizations that provide abortions from contracting with state or city agencies.	Oppose	Signed by the Governor 6/7/2019.
SB 748	Kolkhorst (R)	Creates a newborn screening preservation account to establish a consistent and long-term funding stream to repair, upgrade, and expand screenings conducted by the DSHS public health lab.	Support	Signed by the Governor 6/14/2019.
SB 750	Kolkhorst (R)	Directs HHSC to evaluate and develop a limited postpartum care package for new mothers enrolled in Healthy Texas Women (HTW) program and to develop strategies to ensure continuity of care for new mothers who transition from Medicaid for Pregnant Women into HTW, among other provisions.	Support	Signed by the Governor 6/10/2019.
SB 1096	Perry (R)	This bill improves medication access for kids with disabilities by prohibiting prior authorizations for drugs prescribed to a child enrolled in the STAR Kids Medicaid managed care program; and streamlines some prior authorization processes when a child is hospitalized.	Support	Signed by the Governor 6/10/2019.
SB 1207	Perry (R)	Improves the coordination of benefits for children who have both private health insurance and Medicaid coverage in STAR Kids; creates an external medical review process to resolve a Medicaid client's appeal after HHSC or a Medicaid health plan denies or reduces health care services; streamlines several prior authorizations processes for health providers and health plans; and requires health plan notices to clients about denial of services to include a clear, easy-to-understand explanation of the reason for the denial. It includes select provisions of HB 2453 and HB 4178.		Signed by the Governor 6/10/2019.

Miscellaneous Bills

What's left? As was mentioned under the Education Section, Texas passed a cap on property taxes. Counties and municipalities will only be able to raise their rates by up to 3.5% before triggering an election. This could have major repercussions on mental health services, parks, homeless services, the arts, etc., and may force cuts in the very near future.

Texas also banned tobacco sales for persons under 21. There is an exemption for military members. We also legalized the sale of craft brews from breweries, and the "Lemonade Liberty" bill passed, ensuring that children can operate lemonade stands without fear from government interference. And the one big voting rights (or suppression) bill was defeated after making it through the Senate. It came after a large controversy surrounding the release of voting rolls to counties that included eligible voters. In the wake of that scandal Texas Secretary of State David Whitley, who was behind the botched effort to remove alleged noncitizens from the state's voter rolls, resigned.

Bills that would have exempted local control and killed cities who raise the minimum wage or enact sick leave surprisingly died in the House. As did a bill that would have prevented cities from lobbying in Austin. A bill that would have removed Confederate Heroes Day as a state holiday (it also falls on MKL day) failed, as did one that would have made it harder for cities to remove statutes of Confederate soldiers.

Red light cameras were banned through the first (and looks like last) bill that Representative Stickland passed. The far-right firebrand has said he's not returning next session, so he's walking out with one victory in his eight years in office.

There were a lot of bills aimed at expanding marijuana laws in Texas, with everything from decriminalization to outright legalization on the table. What finally passed was a removal on growing hemp in the state, and the expanded use of CBD oil to new diagnoses. This will be a big issue in the years to come.

Bill Number	Author	Bill Description	NASW Stance	Outcome
HB 234	Krause (R)	Relating to the local regulation of the sale of lemonade or other beverages by children. Liberty lemonade.	Neutral	Signed by the Governor 6/14/2019.
HB 1183	Johnson (D)	Eliminates Confederate Heroes Day from the list of state holidays an agency can observe.	Support	Heard in committee.
HB 1325	King, T (R)	Relating to the production and regulation of hemp.	Neutral	Signed by the Governor 6/10/2019.
HB 1545	Paddie (R)	TABC Sunset bill. Allows the sale of craft beer from breweries.	Neutral	Signed by the Governor 6/15/2019.
HB 1631	Stickland (R)	Bans red light cameras.	Neutral	Signed by the Governor 6/2/2019.
HB 3703	Klick (R)	Relating to the prescription of low-THC cannabis for medical use by certain qualified physicians to patients with certain medical conditions. Expands the list of diagnoses to seizure disorder; multiple sclerosis; spasticity; amyotrophic lateral sclerosis;	Support	Signed by the Governor 6/14/2019.

		autism; terminal cancer; or an incurable neurodegenerative disease.		
SB 2	Bettencourt (R)	Relating to ad valorem taxation; authorizing fees. Property taxes capped at 3.5%	Neutral/ Oppose	Signed by the Governor 6/12/2019.
SB 9	Hughes (R)	Voter suppression bill. Makes it a state jail to vote when a person is ineligible even if they did so unknowingly.	Oppose	Passed Senate. Dies before House floor.
SB 21	Huffman (R)	Relating to the distribution, possession, purchase, consumption, and receipt of cigarettes, e-cigarettes, and tobacco products. Raises the smoking age from 18 to 21, with a military exemption.	Support	Signed by the Governor 6/7/2019.
SB 1663	Creighton (R)	Expands protections for historical monuments by requiring two-thirds of the members in both chambers to approve of the removal, relocation or alteration of monuments or memorials that have been on state property for more than 25 years. There are additional restrictions for statutes on city property and monuments up less than 25 years.	Oppose	Passed Senate. Dies before the House floor.
SB 2486	Creighton (R)	Relating to a prohibition against certain local regulation of the scheduling and overtime compensation practices of private employers. Local control pre-exemption.	Oppose	Passed Senate. Died before the House floor.

Budget

The final budget ended up at \$250.7 billion, which is a 16% increase over the 2018-19 budget. The \$84 billion for health and human services programs is up just 1% from the last two-year cycle, and Medicaid, the federal-state health insurance program for the poor and disabled, is facing a \$900 million cut. \$300 million of this will come from HHSC's budget through a cost-containment rider. The other \$600 million is in federal funds. The Governor did not perform a single line item veto on the budget.

SB 500, the supplemental budget came in at \$9.9 billion. It also tapped into the Economic Stabilization Fund or "rainy day" fund. They authorized an unprecedented \$6.1 billion withdrawal from the fund that will be used to Hurricane Harvey recovery funds for school districts, future disaster preparedness and leftover Medicaid expenses, among other uses.

Bill Number	Author	Bill Description	Outcome
HB 1	Zerwas (R)	General Appropriations Bill.	Signed by the Governor 6/15/2019.
SB 500	Nelson (R)	Supplemental budget.	Signed by the Governor 6/6/2019.

Social Workers in the 86th Session

In the 86th legislative session the House and Senate filed 7,324 total bills. They passed 1,429 (58 were vetoed). That equates to less than 20% of the bills that are introduced making it into enactment. Of the bills that passed, 14 explicitly mention social workers by profession. Here are the exact breakdowns of the gains we made for the profession in 2019 (some bills are duplicates of those in the report):

[HB 1501](#) – This is our Sunset Bill. It moves the Texas State Board of Social Worker Examiners out of HHSC and over to the newly formed Behavioral Health Executive Council. It's a major win for NASW and social workers across the state. You'll be hearing more from us on the implementation of this bill in the months to come.

[HB 18](#) – Increases mental health services in schools and cites LCSW's as a specific resource that schools can choose to utilize in a variety of counseling programs or other supports. NASW/TX was part of conversations last interim that guaranteed our inclusion among the list of providers available to schools.

[SB 750](#) – Address maternal mortality in Texas by expanding the role of the Texas Maternal Mortality and Morbidity Review Committee and providing a transition for new mother's post-partum from Medicaid to Healthy Texas Women. Social workers are included as part of the make-up of the review committee.

[SB 2200](#) – Allows HHSC (and soon the BHEC) to conduct background checks on licensure applicants.

[HB 3195](#) – Requires students being transferred from an alternative education program or a juvenile justice facility back to a regular classroom to have a reintegration plan that explicitly involves the utilization of LCSW's. LMSW's can be included as well as other school district personnel.

[HB 2184](#) – Is almost identical to HB 3195

[HB 906](#) - Establishes a collaborative task force to study public school mental health services and programs. LCSW's are explicitly named as a profession available to occupy the mental health provider seat on the task force. NASW helped draft the language for the bill.

[HB 2783](#) - Establishes the Pediatric Acute-Onset Neuropsychiatric Syndrome Advisory Council. Requires one of the 19 seats to be occupied by a social worker at any level of licensure.

[HB 3078](#) – Allowed for the Board of Pardons and Paroles to appoint a panel of experts to review clemency applications. One of seats was to be occupied by a licensed social worker with experience in counseling survivors of human trafficking or family violence. This bill was vetoed by the Governor.

[HB 1899](#) – Makes licensed individuals who have committed certain crimes, including registered sex offenders and other convicted of other felonious assaults, ineligible to practice and implements a standard procedure for the notification of appropriate agencies.

[HB 111](#) – Adds information on sexual abuse, sex trafficking, and other maltreatment of children with significant cognitive disabilities to trainings that teachers receive. Social workers can perform those trainings.

[HB 1523](#) – Relates to the sunset of the Texas Board of Professional Engineers and Land Surveyors. We are included only because of sections of the code affected by the sunset process. It doesn't impact us in any substantial way.

[HB 4170](#) – This is a clean-up bill and doesn't impact us in any substantial way.

[HB 4173](#) – Another clean-up bill and doesn't impact us in any substantial way.