

BILL ANALYSIS

Senate Research Center
76R13531 JRD-F

H.B. 1864
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Human Services
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Engrossed

DIGEST

Community health advisors, also known as promotoras, have assisted public health providers in serving individuals and communities in the border region for quite some time. Promotoras provide health centers daily clinical activities such as case conferences, patient education, referrals to other health and social services, and volunteer coordination. Promotoras may conduct needs assessments, distribute surveys to identify barriers to health care delivery, and make home visits for patient education and follow-up, in the community. Additionally, they help families talk to their health care providers, through their bilingual skills. By 1998, at least 30 promotora projects operated in the Texas border region. The level of training that promotoras receive varies; however, the state has no uniform optional training program for these individuals. A uniform training program would enable a health care provider to know what training a promotora has received. H.B. 1864 would create a temporary Promotora Program Development Committee to study issues related to the development of a uniform optional promotora outreach program.

PURPOSE

As proposed, H.B. 1864 creates a temporary Promotora Program Development Committee.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the commissioner of public health in SECTION 1.05(d)(g); and the Texas Board of Health in SECTIONS 2.01 and 2.02 (Section 46.003(a), Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

ARTICLE 1. PROMOTORA PROGRAM DEVELOPMENT COMMITTEE

SECTION 1.01. PURPOSE. Provides that the purpose of this article is to establish a temporary Promotora Program Development Committee (committee) that will study certain issues related to the development of outreach and education programs for promotoras or community health workers and that will advise the Texas Department of Health (TDH), the governor, and the legislature regarding its findings.

SECTION 1.02. DEFINITIONS. Defines “CHIP,” “commissioner,” “committee,” “department,” “local pilot project,” “Medicaid managed care organization,” “promotora,” or “community health worker.”

SECTION 1.03. COMMITTEE. Requires TDH to establish the committee to study the development of a framework for a promotora development program and to advise TDH, the governor, and the legislature regarding its findings and recommendations. Sets forth the composition of the committee.

SECTION 1.04. RESPONSIBILITIES OF COMMITTEE. Sets forth the responsibilities of the committee. Requires the committee to consult nationally recognized experts in the field of lay community health outreach workers, in conducting its activities. Requires the committee to submit a report to TDH, the governor, and the presiding officer of each house of the legislature that includes the committee’s findings and recommendations, no later than December 31, 2000.

SECTION 1.05. MEDICAID/CHIP PROMOTORA PILOT PROJECTS. Authorizes the committee to establish a series of neighborhood-based peer health outreach and education pilot projects to demonstrate the feasibility and benefits of employing promotoras to assist beneficiaries of the Medicaid managed care and Children’s Health Insurance Program (CHIP) program. Sets forth the activities of promotoras in any local pilot projects. Authorizes the commissioner of public health (commissioner) with the advice of the

committee to provide grants to local pilot projects in no more than five areas in the state to provide partial support for the operation of the pilot program in that area, subject to the availability of appropriations. Authorizes the commissioner with the advice of the committee to adopt rules relating to an application for grants and the use of funds granted to local pilot projects. Authorizes the commissioner to authorize a local pilot project to obtain certain information, subject to the requirements of federal law or regulations. Provides that information that may be obtained by a local pilot project under Subsection (e) of this section is limited to the information that the commissioner with the advice of the committee determines is necessary to achieve the purposes of the local pilot project. Provides that the information obtained may include certain information from a Medicaid recipient. Authorizes confidential information obtained by a local pilot project to be used by the local pilot project only for the purposes for which it was obtained and may not be released by the local pilot project to any other person than the person who is the subject of the information. Authorizes the commissioner to adopt rules that impose additional restrictions on the use of the information.

SECTION 1.06. FUNDING. Requires TDH to pay for the costs of all activities authorized or required under this article out of money appropriated to TDH that may be used for that purpose.

SECTION 1.07. EXPIRATION. Provides that the committee is abolished and this article expires September 1, 2001.

ARTICLE 2. VOLUNTARY TRAINING AND REGULATION PROGRAM

SECTION 2.01. AMENDMENT. Amends Title 2B, Health and Safety Code, by adding Chapter 46, as follows:

CHAPTER 46. TRAINING AND REGULATION OF PROMOTORAS

Sec. 46.001. DEFINITION. Defines “promotora.”

Sec. 46.002. PROMOTORA TRAINING PROGRAM. Requires TDH to establish and operate a program designed to train and educate persons who act as promotoras. Requires TDH, to the extent possible, to use as a resource the uniform curriculum for training and educating promotoras developed by the Health Education Training Centers Alliance of Texas, in establishing the training program. Provides that participation in a training and education program established under this section is voluntary.

Sec. 46.003. CERTIFICATION PROGRAM FOR PROMOTORAS. Requires TDH to establish and operate a certification program for persons who act as promotoras. Requires the Texas Board of Health (board) to adopt rules that provide minimum standards and guidelines. Prohibits receipt of a certificate issued under this section from being a requirement for a person to act as a promotora.

SECTION 2.02. PROGRAM ESTABLISHMENT; ADOPTION OF RULES. Requires TDH to establish the promotora training certification program required by Chapter 46, Health and Safety Code, as added by this article, no later than January 1, 2000. Authorizes the board to adopt rules as necessary under Chapter 46, Health and Safety Code, as added by this article, no later than December 1, 1999.

ARTICLE 3. EFFECTIVE DATE; EMERGENCY

SECTION 3.01. Effective date: September 1, 1999.

SECTION 3.02. Emergency clause.