

1-1 By: Plesa, et al. (Senate Sponsor - Huffman) H.B. No. 37
1-2 (In the Senate - Received from the House April 24, 2025;
1-3 April 28, 2025, read first time and referred to Committee on Health
1-4 & Human Services; May 9, 2025, reported favorably by the following
1-5 vote: Yeas 8, Nays 0; May 9, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to perinatal bereavement care provided by certain
1-20 hospitals, a perinatal bereavement care initiative, and a perinatal
1-21 bereavement care hospital recognition program.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. This Act may be cited as Everly's Law in honor of
1-24 Everly Grace Talman, whose story inspired this legislation.

1-25 SECTION 2. Subtitle G, Title 4, Health and Safety Code, is
1-26 amended by adding Chapter 328 to read as follows:

1-27 CHAPTER 328. PERINATAL BEREAVEMENT CARE SERVICES

1-28 Sec. 328.001. DEFINITIONS. In this chapter:

1-29 (1) "Department" means the Department of State Health
1-30 Services.

1-31 (2) "Executive commissioner" means the executive
1-32 commissioner of the Health and Human Services Commission.

1-33 (3) "Hospital" means a hospital licensed under Chapter
1-34 241 or a teaching hospital, as defined by Section 58A.001,
1-35 Education Code.

1-36 (4) "Initiative" means the perinatal bereavement care
1-37 initiative established under Section 328.003.

1-38 (5) "Perinatal bereavement care" means the provision
1-39 of supportive care for a prenatal diagnosis of a life-limiting
1-40 fetal condition.

1-41 (6) "Perinatal bereavement device" means a device with
1-42 technology capable of delaying for bereavement purposes the
1-43 deterioration of human tissue for up to 72 hours following an
1-44 intrauterine fetal demise, neonatal death, or stillbirth.

1-45 (7) "Recognition program" means the hospital
1-46 recognition program established under Section 328.004.

1-47 Sec. 328.002. PERINATAL BEREAVEMENT CARE SERVICES REQUIRED
1-48 IN CERTAIN HOSPITALS. A hospital assigned a maternal level of care
1-49 designation under Section 241.182 shall, following an intrauterine
1-50 fetal demise, neonatal death, or stillbirth, make available to the
1-51 expectant parents and family members for a period equal to the
1-52 length of stay recommended by a medical professional for a birth:

1-53 (1) perinatal bereavement care counseling options;
1-54 and

1-55 (2) any available perinatal bereavement device.

1-56 Sec. 328.003. PERINATAL BEREAVEMENT CARE INITIATIVE. (a)
1-57 The department shall establish and administer a perinatal
1-58 bereavement care initiative to improve access to and quality of
1-59 perinatal bereavement care in this state.

1-60 (b) Under the initiative, the department may provide to
1-61 hospitals assigned a maternal level of care designation under

2-1 Section 241.182 the following resources for the hospital's
2-2 provision of perinatal bereavement care:
2-3 (1) for hospital personnel who provide maternal care,
2-4 training on interacting with parents and family members in a
2-5 considerate and respectful manner following an intrauterine fetal
2-6 demise, neonatal death, or stillbirth;
2-7 (2) a perinatal bereavement device, including:
2-8 (A) training for personnel on the use of the
2-9 device; and
2-10 (B) support to maintain the device; and
2-11 (3) any other resources necessary for providing
2-12 perinatal bereavement care.
2-13 (c) In providing resources to hospitals under the
2-14 initiative, the department shall prioritize hospitals that:
2-15 (1) lack access to a perinatal bereavement device;
2-16 (2) treat a greater number of high-risk maternal
2-17 patients; and
2-18 (3) deliver a greater number of babies.
2-19 (d) The department, as appropriate and using money
2-20 appropriated or otherwise available for that purpose, may award
2-21 grants under the initiative to hospitals assigned a maternal level
2-22 of care designation under Section 241.182 to increase access to
2-23 perinatal bereavement care resources.
2-24 (e) The department may accept gifts, grants, and donations
2-25 from any source for the purposes of the initiative.
2-26 Sec. 328.004. HOSPITAL RECOGNITION PROGRAM. The executive
2-27 commissioner, in collaboration with the Perinatal Advisory Council
2-28 established under Section 241.187, shall:
2-29 (1) develop and implement a program to recognize
2-30 hospitals assigned a maternal level of care designation under
2-31 Section 241.182 that provide perinatal bereavement care training to
2-32 hospital personnel; and
2-33 (2) adopt criteria for awarding recognition to a
2-34 hospital under the recognition program.
2-35 SECTION 3. As soon as practicable after the effective date
2-36 of this Act, the executive commissioner of the Health and Human
2-37 Services Commission may adopt the rules necessary to implement
2-38 Chapter 328, Health and Safety Code, as added by this Act.
2-39 SECTION 4. This Act takes effect September 1, 2025.

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