



Senate Health and Human Services Committee
House Bill 44 by Rep. Valoree Swanson (R-Spring)
Senate Sponsor: Sen Mayes Middleton (R-Galveston)
Testimony by Michelle C. Gallas, DO
May 10, 2023

Honorable Chair Kolkhorst, Vice-Chair Perry, and committee members:

My name is Dr. Michelle Gallas, and I am a pediatrician in Austin. I am testifying on behalf of the Texas Pediatric Society, Texas Medical Association, Texas Academy of Family Physicians, the Texas Chapter of the American College of Physicians, and the more than 30 member organizations of the Texas Public Health Coalition, as well as myself. Thank you for the opportunity to testify today **in opposition of** House Bill 44.

HB 44 encroaches on the autonomy of a physician to treat and practice according to the foundational medical principle of doing no harm. As a pediatrician I have a responsibility to counsel my patients and their parents on necessary medical care to keep them safe and healthy. If parents are vaccine hesitant, a pediatrician's role is to inform them of the evidence-based recommendations and importance of fully immunizing their children according to the approved schedule. We take time to address any concerns or questions they have about vaccines and ensure the parent is aware of the potential risks associated with their child going unimmunized.

However, if a parent chooses a path different than what we recommend, we must consider the impact it will have on the other patients in our practice if they are exposed to vaccine-preventable illness. We allow those families to catch up on their vaccines, but if those patients still are not fully vaccinated after that period, a practice may choose to respectfully ask the parent to seek care for their child elsewhere. They do so not out of spite, but out of our responsibility for our entire pediatric patient population. In that situation a practice would do their best to connect that family to another point of care such as at a federally qualified health center.

Additionally, HB 44 unfairly targets physicians and other health care professionals who are willing to care for Medicaid and CHIP patients. Violation of this legislation would immediately disenroll a physician or provider from Medicaid and CHIP without any due process protections, undermining the ability of this low-income population to access care in their community. Texas already has too few physicians accepting Medicaid patients due to low payment and high administrative hassles. Disenrolling a Medicaid physician or provider doesn't hurt that one physician, it punishes the hundreds of Medicaid families who are seeing that physician for care.

Adding another barrier to providing best-practice clinical care for their patients – as this bill proposes – will cause even more physicians and providers to drop out of these programs. Children and families will suffer because their physicians and providers were punished for opting to do their best to protect all their clinic's patients.

Thank you again for the opportunity to testify. I am happy to answer questions.