

BILL ANALYSIS

C.S.H.B. 2866
By: Swinford
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 1997, the 75th Legislature passed House Bill 1555 by Representative Greenberg and Representative Swinford, in an effort to reduce the duplication of inspections of child care facilities by the myriad of state agencies, such as the Department Protective Regulatory Services, Department of Human Services, Texas Department of Health, and the Texas Workforce Commission.

Further, Senate Bill 833 passed during the 77th Legislature required these agencies to develop a checklist for the inspecting agencies to coordinate inspections. In the intervening time since the passage of these bills, more and more municipalities have begun to set standards and inspect day-care facilities, thus, complicating efforts to streamline the inspection process.

CSHB 2866 would require the Texas Department of Protective and Regulatory Services to coordinate the inspection process undertaken by municipalities, thereby reducing unnecessary expense to state government, municipalities, the child care providers, and in turn the families they serve.

RULEMAKING AUTHORITY

This bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

CSHB 2866 amends the Human Resources Code by authorizing the Department of Protective and Regulatory Services to coordinate inspections by other state agencies or political subdivisions of the state to reduce the number of redundant inspections. The bill provides that the department form a task force consisting of representatives of the Texas Department of Health, the Texas Department of Human Services, the Texas Workforce Commission, and political subdivisions to develop an inspection protocol that will coordinate inspections by those agencies and political subdivisions not later than June 1, 2004. The bill requires that the protocol assign the required items for inspection by each agency or political subdivision and facilitate the sharing of inspection data and compliance history. The bill requires that each state agency or political subdivision that inspects a facility listed in Subsection (a) shall use the inspection checklist in performing an inspection no later than June 1, 2004, and a state agency or political subdivision must make a copy of the completed checklist available to the facility at the facility's request.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 2866 varies from the original by requiring the Texas Department of Protective and Regulatory Services to form a task force consisting of representatives of various agencies and political subdivisions to develop an inspection protocol that will coordinate inspections by those agencies and political subdivisions.

The bill also requires that the protocol assign the required items for inspection by each political subdivision. The bill requires each agency or political subdivision that inspects a facility in Subsection (a) to use an inspection checklist in performing an inspection no later than June 1, 2003, and make a copy of the completed checklist available to the facility at the facility's request.