

BILL ANALYSIS

Senate Research Center

S.B. 990
By: Janek
Health & Human Services
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Enrolled

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently there is no statewide training or examination program about sexual predators and sexual abuse for employees of and volunteers at camps that work with children.

S.B. 990 mandates all camp employees and volunteers who have contact with children that work in camps to submit documentation stating that they have completed a training and evaluation program on sexual abuse and child molestation administered by the Department of State Health Services (DSHS). It also authorizes DSHS to assess a fee for the exam.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 141.0095, Health and Safety Code) of this bill.

Rulemaking authority is expressly granted to the training advisory committee in SECTION 1 (Section 141.0096, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 141, Health and Safety Code, by adding Sections 141.0095 and 141.0056, as follows:

Sec. 141.0095. TRAINING AND EXAMINATION PROGRAM. (a) Prohibits a person holding a license under this chapter (Youth Camps) from employing or accepting the volunteer service of an individual for a position involving contact with campers at a youth camp unless certain guidelines are followed.

(b) Requires a person holding a license issued under this chapter to retain in the person's records a copy of the documentation required or issued under Subsection (a) for each employee or volunteer until the second anniversary of the examination date.

(c) Requires a person applying for or holding an employee or volunteer position involving contact with campers at a youth camp to successfully complete a training and examination program on sexual abuse and child molestation administered by this section during the applicable period described by Subsection (a).

(d) Requires the executive commissioner of the Health and Human Services Commission (HHSC), by rule, in accordance with this section and the criteria and guidelines developed by the training advisory committee established under Section 141.0096, to establish criteria and guidelines for training and examination programs on sexual abuse and child molestation. Authorizes the Department of State Health Services (DSHS) to approve training and examination programs offered by trainers under contract with youth camps or by online training organizations or to approve programs offered in another format authorized by DSHS.

(e) Sets forth requirements for the training and examination program on sexual abuse and child molestation approved by DSHS.

(f) Authorizes DSHS to assess a fee in the amount necessary to cover the costs of administering this section to each person that applies for DSHS's approval of a training and examination program on sexual abuse and molestation under this section.

(g) Requires DSHS, at least every five years, to review each training and examination program on sexual abuse and child molestation approved by DSHS to ensure the program continues to meet the criteria and guidelines established by rule under this section.

Sec. 141.0096. TRAINING ADVISORY COMMITTEE. (a) Requires DSHS to appoint a training advisory committee to advise DSHS and the executive commissioner of HHSC in the development of criteria and guidelines for the training and examination program on sexual abuse and child molestation required under Section 141.0095 and to perform any other functions requested by DSHS.

(b) Sets forth composition of the training advisory committee to be selected by the commissioner of state health services.

(c) Requires the training advisory committee to meet at the call of the commissioner of state health services.

(d) Authorizes the training advisory committee to elect certain officers from among its members and to adopt rules for the conduct of its own activities.

(e) Prohibits an advisory committee member from receiving compensation or reimbursement of expenses for serving on the advisory committee.

SECTION 2. (a) Requires the commissioner of state health services to appoint the members of the training advisory committee created under Section 141.0096, Health and Safety Code, as added by this Act, as soon as practicable after the effective date of this Act.

(b) Makes application of Section 141.0095, Health and Safety Code, as added by this Act prospective to June 1, 2006.

SECTION 3. Effective date: September 1, 2005.