

BILL ANALYSIS

S.B. 990
By: Janek
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently there is no statewide training or examination program about sexual predators and sexual abuse for employees of and volunteers at youth camps. As a result, employees and volunteers may not have the knowledge needed to recognize and report cases of suspected abuse. S.B. 990 establishes a training and evaluation program for camp employees and volunteers who have contact with children and includes certain requirements to ensure that such individuals have received the requisite training and evaluation.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission (HHSC) in SECTION 1 of this bill.

ANALYSIS

The bill prohibits a person holding a license under Chapter 141, Health and Safety Code (Youth Camps), from employing or accepting the volunteer service of an individual for a position involving contact with campers at a youth camp unless the individual submits to the person, or the youth camp has on file, documentation that verifies the individual within the preceding two years successfully completed the training and examination program required by this bill, or the individual successfully completes an approved training and examination program conducted by the youth camp during the individual's first workweek.

The bill includes requirements relating to the retention of documentation related to the training and examination program.

The bill requires applicants and employees or volunteers for positions involving contact with campers at a youth camp to successfully complete the training and examination program on sexual abuse and child molestation within the period set forth in the bill.

The bill directs the HHSC executive commissioner by rule to establish criteria and guidelines for training and examination programs on sexual abuse and child molestation, in accordance with the provisions of the bill and criteria and guidelines developed by the training advisory committee established by the bill. The bill authorizes the Department of State Health Services (DSHS) to approve training and examination programs.

The bill sets forth required elements of a training and examination program, and authorizes DSHS to assess a fee to cover administrative costs associated with an application for DSHS approval of a training and examination program. DSHS is required to review at least every five years each approved training and examination program to ensure the program continues to meet required criteria and guidelines.

The bill requires DSHS to appoint a training advisory committee, defines the membership of the committee, describes when the committee shall meet and how it shall operate, provides that members serve without compensation or reimbursement of expenses, and directs the DSHS commissioner to appoint the members as soon as practicable after the effective date of the Act.

The bill provides that a youth camp or individual employed or volunteering at a youth camp is not required to comply with the provisions relating to the training and examination program before June 1, 2006.

EFFECTIVE DATE

September 1, 2005

S.B. 990 79(R)