

By: Van Arsdale, et al.

H.B. No. 1999

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the preparation of medical history reports by parents  
3 who relinquish children for adoption.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter B, Chapter 161, Family Code, is  
6 amended by adding Section 161.1031 to read as follows:

7 Sec. 161.1031. MEDICAL HISTORY REPORT. (a) A parent who  
8 signs an affidavit of voluntary relinquishment of parental rights  
9 under Section 161.103 regarding a biological child must also  
10 prepare a medical history report that addresses the medical history  
11 of the parent and the parent's ancestors.

12 (b) The Department of Family and Protective Services, in  
13 cooperation with the Department of State Health Services, shall  
14 adopt a form that a parent may use to comply with this section. The  
15 form must be designed to permit a parent to identify any medical  
16 condition of the parent or the parent's ancestors that could  
17 indicate a predisposition for the child to develop the condition.

18 (c) The medical history report shall be used in preparing  
19 the health, social, educational, and genetic history report  
20 required by Section 162.005 and shall be made available to persons  
21 granted access under Section 162.006 in the manner provided by that  
22 section.

23 SECTION 2. Subchapter C, Chapter 161, Family Code, is  
24 amended by adding Section 161.2021 to read as follows:

1       Sec. 161.2021. MEDICAL HISTORY REPORT. (a) In a  
2 termination suit, the court shall order each parent before the  
3 court to provide information regarding the medical history of the  
4 parent and the parent's ancestors.

5       (b) A parent may comply with the court's order under this  
6 section by completing the medical history report form adopted by  
7 the Department of Family and Protective Services under Section  
8 161.1031.

9       (c) If the Department of Family and Protective Services is a  
10 party to the termination suit, the information provided under this  
11 section must be maintained in the department records relating to  
12 the child and made available to persons with whom the child is  
13 placed.

14       SECTION 3. Section 161.1031, Family Code, as added by this  
15 Act, applies only to a person who signs an affidavit of voluntary  
16 relinquishment of parental rights under Section 161.103, Family  
17 Code, on or after the effective date of this Act.

18       SECTION 4. Section 161.2021, Family Code, as added by this  
19 Act, applies only to a suit affecting the parent-child relationship  
20 pending in a trial court on the effective date of this Act or filed  
21 on or after that date. A suit affecting the parent-child  
22 relationship in which a final order is rendered before the  
23 effective date of this Act is governed by the law in effect on the  
24 date the order was rendered.

25       SECTION 5. This Act takes effect September 1, 2005.