

1-1 By: Van Arsdale, et al. (Senate Sponsor - Lindsay) H.B. No. 1999
1-2 (In the Senate - Received from the House May 10, 2005;
1-3 May 12, 2005, read first time and referred to Committee on
1-4 Jurisprudence; May 21, 2005, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 21, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the preparation of medical history reports by parents
1-9 who relinquish children for adoption.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter B, Chapter 161, Family Code, is
1-12 amended by adding Section 161.1031 to read as follows:

1-13 Sec. 161.1031. MEDICAL HISTORY REPORT. (a) A parent who
1-14 signs an affidavit of voluntary relinquishment of parental rights
1-15 under Section 161.103 regarding a biological child must also
1-16 prepare a medical history report that addresses the medical history
1-17 of the parent and the parent's ancestors.

1-18 (b) The Department of Family and Protective Services, in
1-19 cooperation with the Department of State Health Services, shall
1-20 adopt a form that a parent may use to comply with this section. The
1-21 form must be designed to permit a parent to identify any medical
1-22 condition of the parent or the parent's ancestors that could
1-23 indicate a predisposition for the child to develop the condition.

1-24 (c) The medical history report shall be used in preparing
1-25 the health, social, educational, and genetic history report
1-26 required by Section 162.005 and shall be made available to persons
1-27 granted access under Section 162.006 in the manner provided by that
1-28 section.

1-29 SECTION 2. Subchapter C, Chapter 161, Family Code, is
1-30 amended by adding Section 161.2021 to read as follows:

1-31 Sec. 161.2021. MEDICAL HISTORY REPORT. (a) In a
1-32 termination suit, the court shall order each parent before the
1-33 court to provide information regarding the medical history of the
1-34 parent and the parent's ancestors.

1-35 (b) A parent may comply with the court's order under this
1-36 section by completing the medical history report form adopted by
1-37 the Department of Family and Protective Services under Section
1-38 161.1031.

1-39 (c) If the Department of Family and Protective Services is a
1-40 party to the termination suit, the information provided under this
1-41 section must be maintained in the department records relating to
1-42 the child and made available to persons with whom the child is
1-43 placed.

1-44 SECTION 3. Section 161.1031, Family Code, as added by this
1-45 Act, applies only to a person who signs an affidavit of voluntary
1-46 relinquishment of parental rights under Section 161.103, Family
1-47 Code, on or after the effective date of this Act.

1-48 SECTION 4. Section 161.2021, Family Code, as added by this
1-49 Act, applies only to a suit affecting the parent-child relationship
1-50 pending in a trial court on the effective date of this Act or filed
1-51 on or after that date. A suit affecting the parent-child
1-52 relationship in which a final order is rendered before the
1-53 effective date of this Act is governed by the law in effect on the
1-54 date the order was rendered.

1-55 SECTION 5. This Act takes effect September 1, 2005.

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