

By: Turner

H.B. No. 1111

Substitute the following for H.B. No. 1111:

By: Madden

C.S.H.B. No. 1111

A BILL TO BE ENTITLED

AN ACT

1
2 relating to prohibitions on and reporting concerning medical,
3 psychiatric, and other research on children committed to the Texas
4 Youth Commission.

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

6 SECTION 1. Section 61.076, Human Resources Code, is amended
7 by amending Subsection (a) and adding Subsection (c) to read as
8 follows:

9 (a) As a means of correcting the socially harmful tendencies
10 of a child committed to it, the commission may, subject to
11 Subsection (c):

12 (1) require the child to participate in moral,
13 academic, vocational, physical, and correctional training and
14 activities;

15 (2) require the modes of life and conduct that seem
16 best adapted to fit the child for return to full liberty without
17 danger to the public;

18 (3) provide any medical or psychiatric treatment that
19 is necessary; and

20 (4) place physically fit children in
21 parks-maintenance camps, forestry camps, or ranches owned by the
22 state or the United States and require the performance of suitable
23 conservation and maintenance work.

24 (c) The commission may not allow a child committed to it to

1 participate in a medical, psychiatric, or other type of research
2 program or study. This subsection does not apply to survey research
3 or retrospective studies that are based only on medical records,
4 claims data, or outcome data.

5 SECTION 2. Subchapter E, Chapter 61, Human Resources Code,
6 is amended by adding Section 61.0763 to read as follows:

7 Sec. 61.0763. REPORTING CONCERNING RESEARCH PROGRAMS OR
8 STUDIES. (a) The commission shall keep records relating to
9 children committed to it that participate in research programs or
10 studies.

11 (b) The records must show, for each calendar quarter and for
12 each calendar year:

13 (1) the number of children participating in research
14 programs or studies for the appropriate reporting period;

15 (2) the type of research program or study in which each
16 child is participating;

17 (3) the name of the principal investigator conducting
18 the research program or study; and

19 (4) the entity sponsoring the research program or
20 study.

21 (c) The commission shall submit a report that contains the
22 information in the records kept under Subsection (b) on or before
23 the 15th day after the last day of the appropriate reporting period
24 to the:

25 (1) governor;

26 (2) lieutenant governor;

27 (3) speaker of the house of representatives; and

1 (4) members of the legislature.

2 (d) A report submitted under this section is public
3 information under Chapter 552, Government Code.

4 SECTION 3. This Act applies to a child committed to the
5 Texas Youth Commission without regard to whether the child was
6 committed before, on, or after the effective date of this Act.

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2007.