

By: Naishtat

H.B. No. 2580

A BILL TO BE ENTITLED

AN ACT

relating to the designation by the Department of Family and Protective Services of an individual to consent on behalf of the department to medical care for a child in foster care.

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

SECTION 1. Section 266.004(c), Family Code, as added by Chapter 268, Acts of the 79th Legislature, Regular Session, 2005, is amended to read as follows:

(c) If the person authorized by the court to consent to medical care is the department or an agent of the department, the department shall, not later than the fifth business day after the date the court provides authorization, file with the court and each party the name of the individual who will exercise the duty and responsibility of providing informed consent on behalf of the department. The department may designate the child's foster parent or the child's parent, if the parent's rights have not been terminated, to exercise the duty and responsibility of providing informed consent on behalf of the department under this subsection. If the ~~[that]~~ individual designated under this subsection changes, the department shall file notice of the change with the court and each party not later than the fifth business day after the date of the change.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2007.