

BILL ANALYSIS

C.S.H.B. 1170
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Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The 80th Legislature, Regular Session, 2007, enacted H.B. 772 to establish the qualifications to be a social study evaluator. Although there were individuals who performed these social studies before the enactment, there was no grandfather provision in H.B. 772 to prevent an individual who did not meet the newly enacted qualifications from losing his or her job.

C.S.H.B. 1170 creates a temporary exemption for certain individuals from minimum qualifications required for a person to conduct a social study in certain suits affecting the parent-child relationship.

RULEMAKING AUTHORITY

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

ANALYSIS

C.S.H.B. 1170 amends the Family Code to create a temporary exemption, set to expire September 1, 2017, from minimum qualifications required for a person to conduct a social study in certain suits affecting the parent-child relationship for an individual who, before September 1, 2007, lived in a county that has a population of 500,000 or more and is adjacent to two or more counties each of which has a population of 50,000 or more; received a four-year degree from an accredited institution of higher education; worked as a child protective services investigator for the Department of Family and Protective Services for at least four years; worked as a community supervision and corrections department officer; and conducted at least 100 social studies in the previous five years.

C.S.H.B. 1170 requires a person who meets the minimum qualifications and performs a social study to complete at least eight hours of family violence dynamics training provided by a family violence services provider and to participate annually in at least 15 hours of continuing education for child custody evaluators that meets the Model Standards or Practices for Child Custody Evaluation adopted by the Association of Family and Conciliation Courts as those standards existed May 1, 2009, or a later version of those standards if adopted by rule of the executive commissioner of the Health and Human Services commission.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1170 differs from the original by specifying that the exemption from minimum qualifications to conduct a social study in certain suits affecting the parent-child relationship is a

temporary exemption. The substitute differs from the original by adding conditions that must be satisfied for an individual to qualify for the exemption relating to the county in which the person lived, the person having received a four-year degree, minimum number of years worked as a child protective services investigator for the Department of Family and Protective Services, and work experience as a community supervision and corrections department officer. The substitute makes nonsubstantive changes not included in the original relating to a minimum number of social studies required to have been conducted and requires those studies to have been conducted in the previous five years, whereas the original requires the person to have at least five years experience.

C.S.H.B. 1170 adds provisions not included in the original requiring a person who meets the minimum qualifications and performs a social study to complete certain training and continuing education.