

By: Lozano

H.B. No. 769

A BILL TO BE ENTITLED

AN ACT

relating to the evaluation of potential foster parents and adoptive parents.

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

SECTION 1. Subchapter C, Chapter 42, Human Resources Code, is amended by adding Section 42.064 to read as follows:

Sec. 42.064. PSYCHOLOGICAL EVALUATION REQUIRED. (a) The department or a licensed child-placing agency may not place a child in a licensed or verified foster home, foster group home, agency foster home, or agency foster group home unless the department or licensed child-placing agency has performed a psychological evaluation of the operator of the home to determine the operator's personality and emotional characteristics and strengths and weaknesses to:

(1) determine whether the operator:

(A) is psychologically fit and emotionally prepared to be a foster care provider; or

(B) poses a danger or risk to children in foster care; and

(2) appropriately match the foster care provider with a child for whom the foster care provider is best able to provide a safe, nurturing environment.

(b) The department or a licensed child placing agency may not place a child in an adoptive home unless the department or

1 licensed child-placing agency has performed a psychological  
2 evaluation of the potential adoptive parents in the manner provided  
3 by Subsection (a) for evaluating foster care providers.

4 (c) The department shall evaluate available nationally  
5 recognized psychological examination and evaluation tools to  
6 determine the appropriate examination or evaluation tool for  
7 purposes of this section.

8 SECTION 2. Section 42.064, Human Resources Code, as added  
9 by this Act, applies only to a child placed in a foster home or an  
10 adoptive home on or after the effective date of this Act. A child  
11 placed in a foster home or an adoptive home before the effective  
12 date of this Act is governed by the law in effect at the time the  
13 child was placed in the foster home or adoptive home, and the former  
14 law is continued in effect for that purpose.

15 SECTION 3. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2011.