

By: Zerwas, Naishtat

H.B. No. 838

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the monitoring of certain medications provided to  
3 foster children.

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

5 SECTION 1. Section 266.001, Family Code, is amended by  
6 adding Subdivision (6) to read as follows:

7 (6) "Psychotropic drug" has the meaning assigned by  
8 Section 261.111.

9 SECTION 2. Chapter 266, Family Code, is amended by adding  
10 Section 266.011 to read as follows:

11 Sec. 266.011. MONITORING USE OF PSYCHOTROPIC DRUG. The  
12 person authorized to consent to medical treatment for a foster  
13 child prescribed a psychotropic drug shall ensure that the child  
14 has an office visit with the prescribing physician at least once  
15 every 90 days to allow the physician to:

16 (1) appropriately monitor the side effects of the  
17 drug; and

18 (2) determine whether:

19 (A) the drug is helping the child achieve the  
20 physician's treatment goals; and

21 (B) continued use of the drug is appropriate.

22 SECTION 3. The heading to Subchapter A, Chapter 266, Family  
23 Code, is repealed.

24 SECTION 4. This Act takes effect September 1, 2013.