

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 16, 2013

TO: Honorable Richard Peña Raymond, Chair, House Committee on Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB44 by Zaffirini (Relating to maintaining and reporting certain information regarding certain child abuse or neglect cases and the provision of mental health services for children in those cases.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code to require the Department of Family and Protective Services (DFPS) to report on the number of children suffering from a severe emotional disturbance for whom DFPS is appointed conservator because a person voluntarily relinquished custody of the child for mental health treatment purposes. The bill requires DFPS to notify, if it is in the best interest of the child, relinquishing persons of the possibility of joint managing conservatorship of the child. The bill requires that DFPS and the Department of State Health Services prepare a joint study to develop alternatives to relinquishment of parental rights to obtain mental health services for a child and authorizes the executive commissioner of the Health and Human Services Commission to implement such recommendations as can be achieved with existing resources.

The bill amends the Government Code to require that the Council on Children and Families make recommendations to the Health and Human Services executive commissioner on options for improving the service system for families who relinquish, or are at risk of relinquishing child custody solely to obtain mental health services, including consideration of whether it would be appropriate to service those families without a finding of abuse or neglect or inclusion in the abuse and neglect central registry. The bill authorizes the executive commissioner to implement such Council on Children and Families recommendations as can be accomplished with existing resources. The bill would take effect September 1, 2013.

It is anticipated that the Department of State Health Services can implement the bill's requirements within existing agency resources and will not have a significant fiscal impact on the agency. DFPS reports that the bill's requirement for reporting on the number of a specific type of relinquishment will require one-time information technology programming changes. However, this analysis assumes that these costs could be absorbed within existing agency resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family and Protective Services, Department of, 537 State Health Services, Department of

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