

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 22, 2013**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & 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 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Family Code to require the Department of Family and Protective Services (DFPS) to report on the number of children for whom DFPS is appointed conservator because a person voluntarily relinquished possession of the child so the child could obtain mental health services. The bill requires DFPS to notify persons making such relinquishment 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.

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 eliminating the practice of including on the child abuse and neglect registry persons who voluntarily relinquish possession of a child so that the child may receive mental health services. The bill requires that the executive commissioner review the recommendations and implement necessary changes to exclude such relinquishments from the abuse and neglect registry. The bill would take effect September 1, 2013.

The Department of State Health Services reports that the bill can be implemented 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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