

1-1 By: Rose, Guillen (Senate Sponsor - West) H.B. No. 3092
 1-2 (In the Senate - Received from the House May 4, 2015;
 1-3 May 15, 2015, read first time and referred to Committee on Health
 1-4 and Human Services; May 22, 2015, reported favorably by the
 1-5 following vote: Yeas 9, Nays 0; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the establishment of a pilot program to provide
 1-20 protective services to certain persons determined to be at risk of
 1-21 future harm from abuse, neglect, or exploitation.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter E, Chapter 48, Human Resources Code,
 1-24 is amended by adding Section 48.212 to read as follows:

1-25 Sec. 48.212. PILOT PROGRAM TO PROVIDE PROTECTIVE SERVICES
 1-26 TO PERSONS AT RISK OF FUTURE HARM. (a) Notwithstanding any other
 1-27 law, including Section 48.002(a)(5), the department shall, using
 1-28 existing resources, develop and implement a pilot program that
 1-29 evaluates the feasibility and associated benefits of providing
 1-30 protective services when an elderly person or person with a
 1-31 disability has been determined, using criteria developed under
 1-32 Section 48.004, to be at risk of future harm from abuse, neglect, or
 1-33 exploitation, but who is not in a state of abuse, neglect, or
 1-34 exploitation.

1-35 (b) Section 48.1523 does not apply to reports considered
 1-36 under the pilot program developed under this section.

1-37 (c) The department may terminate the pilot program if the
 1-38 executive commissioner determines the termination is appropriate.
 1-39 The pilot program terminates August 31, 2017, unless the program is
 1-40 terminated before that date in accordance with this subsection.

1-41 (d) This section expires September 1, 2019.

1-42 SECTION 2. Not later than January 1, 2016, the Department of
 1-43 Family and Protective Services shall develop and implement the
 1-44 pilot program required under Section 48.212, Human Resources Code,
 1-45 as added by this Act.

1-46 SECTION 3. (a) Not later than December 15, 2016, the
 1-47 Department of Family and Protective Services shall prepare and
 1-48 issue a report of preliminary findings from the pilot program
 1-49 required under Section 48.212, Human Resources Code, as added by
 1-50 this Act, to the governor, the lieutenant governor, and the
 1-51 standing legislative committees with primary jurisdiction over
 1-52 health and human services.

1-53 (b) Not later than December 15, 2017, the Department of
 1-54 Family and Protective Services shall submit a final report on the
 1-55 pilot program to the persons and entities described under
 1-56 Subsection (a) of this section. The report must include:

1-57 (1) an evaluation of the feasibility and benefits of
 1-58 the pilot program;

1-59 (2) any additional findings the department determines
 1-60 appropriate; and

1-61 (3) recommendations for the continuation,

2-1 elimination, or expansion of the pilot program.

2-2 SECTION 4. If before implementing any provision of this Act
2-3 a state agency determines that a waiver or authorization from a
2-4 federal agency is necessary for implementation of that provision,
2-5 the agency affected by the provision shall request the waiver or
2-6 authorization and may delay implementing that provision until the
2-7 waiver or authorization is granted.

2-8 SECTION 5. This Act takes effect September 1, 2015.

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