

By: West, Zaffirini

S.B. No. 1641

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

(d) This section expires September 1, 2019.

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

5           SECTION 3. (a) Not later than December 15, 2016, the  
6 Department of Family and Protective Services shall prepare and  
7 issue a report of preliminary findings from the pilot program  
8 required under Section 48.212, Human Resources Code, as added by  
9 this Act, to the governor, the lieutenant governor, and the  
10 standing legislative committees with primary jurisdiction over  
11 health and human services.

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

16                   (1) an evaluation of the feasibility and benefits of  
17 the pilot program;

18                   (2) any additional findings the department determines  
19 appropriate; and

20                   (3) recommendations for the continuation,  
21 elimination, or expansion of the pilot program.

22           SECTION 4. If before implementing any provision of this Act  
23 a state agency determines that a waiver or authorization from a  
24 federal agency is necessary for implementation of that provision,  
25 the agency affected by the provision shall request the waiver or  
26 authorization and may delay implementing that provision until the  
27 waiver or authorization is granted.

1 SECTION 5. This Act takes effect September 1, 2015.