

By: West

S.B. No. 1641

A BILL TO BE ENTITLED

AN ACT

relating to developing and maintaining risk assessment criteria for use in determining whether an elderly or disabled person is in imminent risk of abuse.

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 48.2055 to read as follows:

Sec. 48.2055. PILOT PROGRAM. (a) The department shall, out of funds appropriated, implement a pilot program to evaluate the feasibility and any associated benefits of providing protective services when an elderly or disabled person has been determined to be at risk of future harm from abuse, neglect, or exploitation using the risk assessment criteria described in Section 48.004(a).

(b) Notwithstanding Section 48.002(a)(5), the provision of protective services in an area in which a pilot program described by subsection (a) has been implemented does not require that an elderly or disabled person be in a state of abuse, neglect, or exploitation.

(c) Notwithstanding Section 48.1523, the department is not required to conduct a management review of recidivistic cases in an area in which a pilot program described by subsection (a) has been implemented.

SECTION 2. The department shall implement the pilot program described in section 48.2055, Human Resources Code, not later than

1 January 1, 2016. The pilot may be conducted up until August 31, 2017  
2 but may terminate earlier if, in the discretion of the adult  
3 protective services program, it is appropriate for the program to  
4 be terminated. DFPS shall submit a report of preliminary findings  
5 from the program to the Governor, Lieutenant Governor, and  
6 appropriate legislative committees having oversight over the Adult  
7 Protective Services division not later than December 15, 2016 and  
8 on any additional findings not later than December 15, 2017.

9 SECTION 3. Section 48.2055, Human Resources Code, expires  
10 August 31, 2017.

11 SECTION 4. EFFECTIVE DATE. This Act takes effect  
12 immediately if it receives a vote of two-thirds of all the members  
13 elected to each house, as provided by Section 39, Article III, Texas  
14 Constitution. If this Act does not receive the vote necessary for  
15 immediate effect, this Act takes effect September 1, 2015.