

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

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 23, 2015**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB2039** by Burkett (Relating to the exclusion of certain information from the Department of Family and Protective Services central registry of child abuse or neglect cases and the report of certain information regarding those cases to the legislature.), **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 executive commissioner to adopt rules that would prohibit the Department of Family and Protective Services (DFPS) from making a finding of abuse or neglect against a person whose child is under the conservatorship of DFPS only because the child's family was unable to obtain mental health services for the child. The rules should also establish guidelines for reviewing records in the central registry and removing records where DFPS was named managing conservator of a child only because the child's family was unable to obtain mental health services for the child. With respect to children under the conservatorship of DFPS only because the child's family was unable to obtain mental health services for the child, DFPS would be required to report by November 1st of each even-numbered year on the: 1) number of children for whom DFPS has been appointed managing conservator; 2) number of children for whom DFPS was appointed joint managing conservator; 3) number of children diverted to community or residential mental health services through another agency; and 4) number of persons whose names were entered into the central registry for cases of child abuse and neglect.

The bill would repeal statute requiring DFPS and the Department of State Health Services to study and develop recommendations to prevent the practice of parents relinquishing custody of children with a severe emotional disturbance and placement of children in the conservatorship of the department solely to obtain mental health services for the child

DFPS does not anticipate any significant fiscal impacts as a result of complying with the provisions of the bill.

**Local Government Impact**

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

**Source Agencies:** 530 Family and Protective Services, Department of

**LBB Staff:** UP, SJ, NB, WP