

BILL ANALYSIS

Senate Research Center

S.B. 1806
By: Huffman
Health & Human Services
4/3/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Children's advocacy centers facilitate a multidisciplinary approach to joint investigations of child abuse with Child Protective Services (CPS) and law enforcement. Connecting a child with a children's advocacy center not only jump starts the joint investigation, but also opens the door to evidence-based, trauma-informed mental health, medical, and family advocacy services for the child and family.

When cases are screened by CPS in the field, cases are sometimes closed prematurely without any law enforcement involvement. It is critically important to initiate a children's advocacy center-facilitated joint investigation as soon as possible for child sexual abuse cases with a professional reporter and for child fatality cases.

All children's advocacy center multidisciplinary team partners at the county level, including CPS and law enforcement, are required to delineate, through memoranda of understanding and working protocols, which cases should be worked jointly via the multidisciplinary team. Every children's advocacy center multidisciplinary team in Texas agrees to work, at a minimum, child sexual abuse cases and cases where children have witnessed crimes, including child fatalities.

S.B. 1806 requires the Department of Family and Protective Services to refer certain cases to a children's advocacy center for a multidisciplinary approach to joint investigations. These cases include those in which there has been a child fatality and a report of alleged child sexual abuse made by a professional reporter.

As proposed, S.B. 1806 amends current law relating to requiring the use of multidisciplinary teams appointed by children's advocacy centers in certain child abuse investigations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 264, Family Code, by adding Section 264.4061, as follows:

Sec. 264.4061. MULTIDISCIPLINARY TEAM RESPONSE REQUIRED. (a) Requires the Department of Family and Protective Services (DFPS) to refer cases directly to a children's advocacy center to initiate a response by a center's multidisciplinary team appointed under Section 264.406 (Multidisciplinary Team) when conducting an investigation of a report of abuse that is made by a professional as defined by Section 261.101 (Persons Required to Report; Time to Report) and that alleges sexual abuse of a child or is a type of case handled by the center in accordance with the working protocol adopted for the center under Section 264.411(a)(9) (relating to the contract eligibility of a nonprofit entity that operates under a working protocol and the protocols' requirements) or a child fatality in which there are surviving children in the deceased child's household or under the supervision of the caregiver involved in the child fatality.

(b) Requires any interview of the child, as part of the investigation under Subsection (a), to be a forensic interview conducted by the center in accordance with the center's working protocol unless a forensic interview is not appropriate based on the child's age and development and the working protocol adopted for the center under Section 264.411(a)(9).

(c) Provides that Subsection (a) applies only to an investigation of abuse in a county served by a center that has an interagency memorandum of understanding under Section 264.403 (Interagency Memorandum of Understanding). Authorizes DFPS, if a county is not served by a center with an interagency memorandum, to refer cases directly to a center in an adjacent county to initiate a response by that center's multidisciplinary team, if appropriate.

SECTION 2. Effective date: September 1, 2017.