

By: Davis of Harris

H.B. No. 1160

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a court order for health care for a child in the  
3 conservatorship of the Department of Family and Protective  
4 Services.

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

6 SECTION 1. The heading to Chapter 266, Family Code, is  
7 amended to read as follows:

8 CHAPTER 266. MEDICAL CARE AND EDUCATIONAL SERVICES FOR CHILDREN IN  
9 CONSERVATORSHIP OF DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

10 [~~FOSTER CARE~~]

11 SECTION 2. Chapter 266, Family Code, is amended by adding  
12 Section 266.005 to read as follows:

13 Sec. 266.005. CONSULTATION FOR HEALTH CARE. (a) A court  
14 may not render an order requiring or prohibiting specific health  
15 care services, procedures, or treatments, including mental health  
16 care services, procedures, or treatments, for a child in the  
17 conservatorship of the department unless the court verifies that a  
18 health professional providing services, procedures, or treatments  
19 within the scope of practice of the health professional's  
20 occupation has been consulted regarding the proposed care and has  
21 recommended the proposed care.

22 (b) Subsection (a) does not apply to a court order for  
23 emergency medical care, including mental health care, for a child  
24 in the conservatorship of the department.

1           SECTION 3. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2017.