

1-1 By: Uresti S.B. No. 190
 1-2 (In the Senate - Filed November 14, 2016; January 25, 2017,
 1-3 read first time and referred to Committee on Health & Human
 1-4 Services; April 18, 2017, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 April 18, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 190 By: Uresti

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the administrative closure of certain reported cases of
 1-22 child abuse or neglect made to the Department of Family and
 1-23 Protective Services.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter D, Chapter 261, Family Code, is
 1-26 amended by adding Section 261.3017 to read as follows:

1-27 Sec. 261.3017. ABBREVIATED INVESTIGATION AND ADMINISTRATIVE
 1-28 CLOSURE OF CERTAIN CASES. (a) A department caseworker may refer a
 1-29 reported case of child abuse or neglect to a department supervisor
 1-30 for abbreviated investigation or administrative closure at any time
 1-31 before the 60th day after the date the report is received if:

1-32 (1) there is no prior report of abuse or neglect of the
 1-33 child who is the subject of the report;

1-34 (2) the department has not received an additional
 1-35 report of abuse or neglect of the child following the initial
 1-36 report; and

1-37 (3) either:

1-38 (A) after contacting a professional or other
 1-39 credible source, the caseworker determines that the child's safety
 1-40 can be assured without further investigation, response, services,
 1-41 or assistance; or

1-42 (B) the caseworker determines that no abuse or
 1-43 neglect occurred.

1-44 (b) A department supervisor shall review each reported case
 1-45 of child abuse or neglect that has remained open for more than 60
 1-46 days and administratively close the case if the supervisor
 1-47 determines that the circumstances described by Subsections
 1-48 (a)(1)-(3) exist and that closing the case would not expose the
 1-49 child to an undue risk of harm.

1-50 (c) A department supervisor may reassign a reported case of
 1-51 child abuse or neglect that does not qualify for abbreviated
 1-52 investigation or administrative closure under Subsection (a) or (b)
 1-53 to a different department caseworker if the supervisor determines
 1-54 that reassignment would allow the department to make the most
 1-55 effective use of resources to investigate and respond to reported
 1-56 cases of abuse or neglect.

1-57 (d) The executive commissioner shall adopt rules necessary
 1-58 to implement this section.

1-59 (e) In this section, "professional" means an individual who
 1-60 is licensed or certified by the state or who is an employee of a

2-1 facility licensed, certified, or operated by the state and who, in
2-2 the normal course of official duties or duties for which a license
2-3 or certification is required, has direct contact with children.
2-4 The term includes teachers, nurses, doctors, day-care employees,
2-5 employees of a clinic or health care facility that provides
2-6 reproductive services, juvenile probation officers, and juvenile
2-7 detention or correctional officers.

2-8 SECTION 2. Not later than December 1, 2017, the executive
2-9 commissioner of the Health and Human Services Commission shall
2-10 adopt the rules necessary to implement Section 261.3017, Family
2-11 Code, as added by this Act.

2-12 SECTION 3. This Act takes effect immediately if it receives
2-13 a vote of two-thirds of all the members elected to each house, as
2-14 provided by Section 39, Article III, Texas Constitution. If this
2-15 Act does not receive the vote necessary for immediate effect, this
2-16 Act takes effect September 1, 2017.

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