

By: Perry

S.B. No. 1206

A BILL TO BE ENTITLED

AN ACT

relating to access to certain health records and information regarding a child placed for adoption.

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

SECTION 1. Section 162.005, Family Code, is amended by adding Subsection (c) to read as follows:

(c) The department shall ensure that each licensed child-placing agency, single source continuum contractor, or other person placing a child for adoption receives a copy of any portion of the report prepared by the department.

SECTION 2. Section 162.0062, Family Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) If a child is placed with a foster parent or a prospective adoptive parent prior to adoption, the foster parent or prospective adoptive parent is entitled to examine any record or other information relating to the child's health history, including the portion of the report prepared under Section 162.005 for the child that relates to the child's health. The department, licensed child-placing agency, single source continuum contractor, or other person placing a child for adoption shall inform the foster parent or prospective adoptive parent of the foster parent or prospective adoptive parent's right to examine the records and other information relating to the child's health history. The department, licensed child-placing agency, single source continuum

1 contractor, or other person placing the child for adoption shall  
2 edit the records and information to protect the identity of the  
3 biological parents and any other person whose identity is  
4 confidential.

5 SECTION 3. Section 162.007, Family Code, is amended by  
6 amending Subsection (a) and adding Subsection (g) to read as  
7 follows:

8 (a) The health history of the child must include information  
9 about:

10 (1) the child's health status at the time of placement;

11 (2) the child's birth, neonatal, and other medical,  
12 psychological, psychiatric, and dental history information,  
13 including to the extent known by the department:

14 (A) whether the child's birth mother consumed  
15 alcohol during pregnancy; and

16 (B) whether the child has been diagnosed with  
17 fetal alcohol spectrum disorder;

18 (3) a record of immunizations for the child; and

19 (4) the available results of medical, psychological,  
20 psychiatric, and dental examinations of the child.

21 (g) In this section, "fetal alcohol spectrum disorder"  
22 means any of a group of conditions that can occur in a person whose  
23 mother consumed alcohol during pregnancy.

24 SECTION 4. This Act takes effect September 1, 2017.