

## **BILL ANALYSIS**

C.S.H.B. 2490  
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Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the practice whereby child protective services case files are changed in the Department of Family and Protective Services' case tracking and information management system by caseworkers, investigators, and supervisors without ensuring that a record of the original information is maintained. C.S.H.B. 2490 seeks to address these concerns, increase transparency, and ensure adequate recordkeeping by setting out additional requirements for the system.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2490 amends the Human Resources Code to require the Department of Family and Protective Services (DFPS) to ensure that its case tracking and information management system:

- locks information related to any stage of service entered in a case narrative in the system by appropriate DFPS staff, representatives, or agents after approval by DFPS management;
- after information is locked in the case narrative in the system:
  - prevents modification of the information by any DFPS staff, representative, or agent unless authorized by a court order; and
  - allows such appropriate individuals to make supplemental entries to the case narrative to update or provide additional information relevant to the case; and
- for any substantive change to information in the system, other than a change to the case narrative, requires the identity of the person making the change and the date the change is made to be included in the system.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2490 may differ from the original in minor or nonsubstantive ways, the

following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute establishes requirements for the system that are different than those in the original, which include:

- a requirement for the system to provide a date and time stamp and identify the authority for each entry of information in a child's case file;
- a requirement for the system to prohibit a person from modifying or deleting information once it is added to a child's case file but allow a person to add new or revised information to update a child's case file; and
- a requirement that certain metadata for information in the system be in a format that allows a system user to clearly and fully understand the date, time, and author identity.