86R10356 EAS-D

By:  Calanni H.B. No. 3375

A BILL TO BE ENTITLED

AN ACT

relating to an annual medical examination for foster children.

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

SECTION 1.  Chapter 266, Family Code, is amended by adding Section 266.014 to read as follows:

Sec. 266.014.  ANNUAL MEDICAL EXAMINATION REQUIRED; SEXUAL ABUSE OR HUMAN TRAFFICKING REFERRAL. (a) For each child in the conservatorship of the department, the department shall make a reasonable effort to obtain consent from a person authorized to provide consent under Section 266.004 or 266.010, as applicable, for the child to receive an annual medical examination in accordance with this section.

(b)  The department shall ensure that each child in the conservatorship of the department for whom the department obtains consent under Subsection (a) receives an annual medical examination from a physician or other health care provider authorized under state law to conduct medical examinations. The examination must include an evaluation of whether the child has been sexually abused or was a victim of human trafficking during the preceding year.

(c)  If, during the evaluation or medical examination, the physician or health care provider determines that the child has been sexually abused or was a victim of human trafficking, the physician or health care provider shall refer the child to a specialist who provides medical and psychological treatment for victims of sexual abuse or human trafficking, as applicable.

(d)  The commission shall ensure that the annual medical examination required by this section is a benefit covered under the STAR Health program or other Medicaid program in which the child is enrolled.

SECTION 2.  If before implementing any provision of this Act a state agency determines that an additional waiver or additional authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 3.  This Act takes effect September 1, 2019.