86R3175 MM-D

By:  Krause H.B. No. 3746

A BILL TO BE ENTITLED

AN ACT

relating to access to certain health records and information by certain individuals regarding a child placed in foster care.

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

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

(a-1)  If a child is placed with a prospective adoptive parent prior to adoption or if a child who is medically fragile is placed with or is to be placed with a foster parent, the prospective adoptive parent, the foster parent, or the prospective foster parent, as applicable, 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 prospective adoptive parent, the foster parent, or the prospective foster parent of that individual's [~~the 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 contractor, or other person placing the child for adoption shall edit the records and information to protect the identity of the biological parents and any other person whose identity is confidential.

(a-2)  In this section, "child who is medically fragile" means a child who qualifies for benefits under the medically dependent children (MDCP) waiver program.

SECTION 2.  This Act takes effect September 1, 2019.