86R990 MM-D

By:  Perry S.B. No. 195

A BILL TO BE ENTITLED

AN ACT

relating to collecting and reporting by the Department of Family and Protective Services of certain information relating to certain alcohol and controlled substance use.

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

SECTION 1.  Section 162.007(a), Family Code, is amended to read as follows:

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

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

(2)  the child's birth, neonatal, and other medical, psychological, psychiatric, and dental history information, including to the extent known by the Department of Family and Protective Services based on the information collected under Section 264.019 [~~department~~]:

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

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

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

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

SECTION 2.  Subchapter A, Chapter 264, Family Code, is amended by adding Section 264.019 to read as follows:

Sec. 264.019.  COLLECTION AND REPORTING OF ALCOHOL AND CONTROLLED SUBSTANCE STATISTICS. (a) The department shall collect the following information and update the department's automated case tracking and information management system to allow caseworkers to record:

(1)  the number of children reported to the department who at birth tested positive for the presence of alcohol or a controlled substance;

(2)  the controlled substances for which the children described by Subdivision (1) tested positive;

(3)  the number of children described by Subdivision (1) who were removed from their homes and have been diagnosed as having a disability or chronic medical condition resulting from the presence of alcohol or controlled substances; and

(4)  the number of parents who test positive for the presence of a controlled substance during a department investigation of a report of abuse or neglect of the parent's child.

(b)  Not later than November 1 of each year, the department shall:

(1)  prepare for the preceding year a report containing the information collected under Subsection (a);

(2)  post a copy of the report prepared under Subdivision (1) on the department's Internet website; and

(3)  electronically submit to the legislature a copy of the report.

(c)  The commissioner shall adopt rules necessary to implement this section.

(d)  The department is required to implement this section in a state fiscal biennium only if the commissioner determines that the legislature has specifically appropriated an amount sufficient to update the department's automated case tracking and information management system. If the commissioner does not make that determination, the department shall implement this section not later than the date of the department's next update of the automated case tracking and information management system.

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