

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 and the Health and Human Services Commission of certain information relating to certain alcohol and controlled substance use and treatment.

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:

(A) the information collected under Subsection (a); and

(B) the data collected under Section 531.02143, Government Code;

(2) post a copy of the report prepared under

1 Subdivision (1) on the department's Internet website; and

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

4 (c) The commissioner of the department shall adopt rules
5 necessary to implement this section.

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

15 SECTION 3. Subchapter B, Chapter 531, Government Code, is
16 amended by adding Section 531.02143 to read as follows:

17 Sec. 531.02143. DATA REGARDING POSTNATAL ALCOHOL AND
18 CONTROLLED SUBSTANCE TREATMENT. (a) The commission shall collect
19 hospital discharge data for Medicaid recipients regarding
20 treatment of a newborn child for prenatal exposure to alcohol or a
21 controlled substance.

22 (b) The commission shall provide the data collected under
23 Subsection (a) to the Department of Family and Protective Services.

24 SECTION 4. This Act takes effect January 1, 2020.