

By: Zaffirini, et al.
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S.B. No. 708

A BILL TO BE ENTITLED

AN ACT

relating to collection and use of child safety data for licensed day-care centers.

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

SECTION 1. Subchapter C, Chapter 42, Human Resources Code, is amended by adding Section 42.0412 to read as follows:

Sec. 42.0412. COLLECTION OF LICENSED DAY-CARE CENTER DATA.

(a) In this section, "group of children" and "specified age" are determined by the formula provided in the commission's minimum standards for child-care centers.

(b) The commission, in collaboration with the department and using existing resources, shall collect, compile, and publish on the commission's Internet website the following data aggregated by child age on reported incidents in licensed day-care centers that threaten or impair the basic health, safety, or welfare of a child:

(1) the number of incidents investigated by the commission or department and assigned the commission's highest priority;

(2) the number of incidents investigated by the commission or department and assigned the commission's second-highest priority;

(3) the number of violations;

(4) the number of confirmed serious injuries to

1 children; and

2 (5) the number of child fatalities.

3 (c) During each monitoring inspection of a licensed
4 day-care center the commission conducts, the commission, using
5 existing resources, shall collect the following data for each group
6 of children four years of age and younger in the day-care center:

7 (1) the specified age of the children in the group;

8 (2) the number of children in the group; and

9 (3) the number of caregivers supervising the children
10 in the group.

11 (d) The commission shall make the data collected under this
12 section available to persons researching the factors related to
13 child injury, maltreatment, and death in licensed day-care centers
14 on request.

15 (e) The commission, using existing resources, shall provide
16 an annual report to the legislature that includes:

17 (1) the number of confirmed serious injuries and
18 fatalities for children four years of age and younger that occurred
19 at each licensed day-care center, including information collected
20 by the department, aggregated by the age of the injured or deceased
21 child;

22 (2) the priority assigned to the investigation
23 conducted by the commission or department in response to an
24 incident that resulted in a serious injury or child fatality;

25 (3) the number of investigations conducted by the
26 commission or department at each licensed day-care center involving
27 a child four years of age or younger that were assigned the highest

1 priority or second-highest priority, aggregated by the age of the
2 youngest affected child; and

3 (4) the number of violations the commission found at
4 each licensed day-care center during investigations described by
5 Subdivision (3).

6 SECTION 2. Section 42.042, Human Resources Code, is amended
7 by adding Subsection (m-1) to read as follows:

8 (m-1) Not later than January 1, 2021, the executive
9 commissioner shall review the data collected under Section 42.0412
10 and prepare and submit to the legislature a report that includes
11 recommendations regarding modifications to the minimum standards
12 by age group to enhance child safety. This subsection expires
13 September 1, 2023.

14 SECTION 3. Notwithstanding Section 42.0412(d), Human
15 Resources Code, as added by this Act, the Health and Human Services
16 Commission is not required to comply with that subsection until
17 January 31, 2020.

18 SECTION 4. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2019.