

BILL ANALYSIS

H.B. 4041
By: Neave
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Although residential child-care facilities that serve as foster care placements are required to have a protocol in place to report incidents of suicide or suicide attempts, there are no requirements for these facilities to have protocols for the prevention, intervention, and postvention of suicide for youth in their care. Providers in these placements monitor children closely as part of their supervision, but many do not know the warning signs of suicide risk or how to respond appropriately. Foster youth are at significantly higher risk of attempting suicide, so education on how to intervene is critical for these providers. H.B. 4041 seeks to address and reduce suicide risk for foster youth by requiring each residential child-care facility to adopt a suicide prevention, intervention, and postvention policy.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

H.B. 4041 amends the Human Resources Code to require the executive commissioner of the Health and Human Services Commission (HHSC), by rule and not later than July 1, 2022, to adopt a model suicide prevention, intervention, and postvention policy for use by a residential child-care facility. The model policy must:

- be based on current and best evidence-based practices;
- require all facility employees to receive annual suicide prevention training that includes understanding of safety planning and screening for risk;
- promote suicide prevention training for non-employee entities, as appropriate; and
- include procedures to support children who return to the facility following hospitalization for a mental health condition.

H.B. 4041 requires each residential child-care facility to adopt a suicide prevention, intervention, and postvention policy. The facility may adopt the model policy or another policy approved by the executive commissioner and the adopted policy may be part of a broader mental health crisis plan if the components of that plan include suicide prevention, intervention, and postvention. The bill requires the operational plan submitted as part of the application materials for a license to operate a child-care facility or child-placing agency to include a suicide prevention, intervention, and postvention plan that complies with the bill's requirements.

H.B. 4041 requires HHSC to provide to a residential child-care facility any technical assistance necessary to adopt or implement a suicide prevention, intervention, and postvention policy.

EFFECTIVE DATE

September 1, 2021.