

By: Hull, Frank, Gates

H.B. No. 2983

A BILL TO BE ENTITLED

AN ACT

1
2 relating to medical examinations for certain children entering the
3 conservatorship of the Department of Family and Protective
4 Services.

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

6 SECTION 1. Section 264.1076, Family Code, is amended by
7 amending Subsections (b) and (i) and adding Subsection (b-1) to
8 read as follows:

9 (b) The department shall ensure that each child described by
10 Subsection (a) receives an initial medical examination from a
11 physician or other health care provider authorized under state law
12 to conduct medical examinations not later than the end of the third
13 business day after the date the child is removed from the child's
14 home, if the child:

15 (1) is removed as the result of sexual abuse, physical
16 abuse, or an obvious physical injury to the child; or

17 (2) has a known or suspected chronic medical
18 condition, ~~[a]~~ medically complex condition, or ~~[a]~~ diagnosed mental
19 illness.

20 (b-1) Only children described by Subsections (b)(1) and (2)
21 may receive an initial medical examination under Subsection (b).

22 (i) Not later than December 31, 2022 [~~2019~~], the department
23 shall submit a report to the standing committees of the house of
24 representatives and the senate with primary jurisdiction over child

1 protective services and foster care evaluating the statewide
2 implementation of the medical examination required by this section.
3 The report must include for each region of the state:

4 (1) the level of compliance with the requirements of
5 this section; and

6 (2) the number of medical examinations conducted under
7 Subsection (b) and the reason for each medical examination [~~in each~~
8 region of the state].

9 SECTION 2. Section 264.1076(b-1), Family Code, as added by
10 this Act, applies only to a child who enters the conservatorship of
11 the Department of Family and Protective Services on or after the
12 effective date of this Act. A child who enters the conservatorship
13 of the Department of Family and Protective Services before the
14 effective date of this Act is governed by the law in effect on the
15 date the child entered the conservatorship of the department, and
16 the former law is continued in effect for that purpose.

17 SECTION 3. This Act takes effect September 1, 2021.