

By: Rose

H.B. No. 4302

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the continuation of the MEDCARES grant program and  
3 transfer of the oversight and administration of the program from  
4 the Department of State Health Services to the Health and Human  
5 Services Commission.

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

7 SECTION 1. Subchapter F, Chapter 1001, Health and Safety  
8 Code is hereby repealed.

9 SECTION 2. Section 261.005, Family Code, is amended to read  
10 as follows:

11 Sec. 261.005. REFERENCE TO EXECUTIVE COMMISSIONER OR  
12 COMMISSION. Except as provided for in Subchapter G, [±]in this  
13 chapter:

14 (1) a reference to the executive commissioner or the  
15 executive commissioner of the Health and Human Services Commission  
16 means the commissioner of the department; and

17 (2) a reference to the Health and Human Services  
18 Commission means the department.

19 SECTION 3. Subchapter G, Chapter 261, Family Code, is  
20 enacted to read as follows:

21 SUBCHAPTER G. TEXAS MEDICAL CHILD ABUSE RESOURCES AND EDUCATION  
22 SYSTEM (MEDCARES)

23 Sec. 261.601. REFERENCE TO EXECUTIVE COMMISSIONER OR  
24 COMMISSION. In this Subchapter:

1           (1) a reference to the executive commissioner means  
2 the executive commissioner of the Health and Human Services  
3 Commission; and

4           (2) a reference to the commission means the Health and  
5 Human Services Commission.

6           Sec. 261.602 TEXAS MEDICAL CHILD ABUSE RESOURCES AND  
7 EDUCATION SYSTEM GRANT PROGRAM. (a) The commission shall maintain  
8 the Texas Medical Child Abuse Resources and Education System  
9 (MEDCARES) grant program to award grants for the purpose of  
10 developing and supporting regional programs to improve the  
11 assessment, diagnosis, and treatment of child abuse and neglect as  
12 described by the report submitted to the 80th Legislature by the  
13 committee on pediatric centers of excellence relating to abuse and  
14 neglect in accordance with Section 266.0031, Family Code, as added  
15 by Chapter 1406 (S.B. 758), Acts of the 80th Legislature, Regular  
16 Session, 2007.

17           (b) The commission may award grants to hospitals or academic  
18 health centers with expertise in pediatric health care and a  
19 demonstrated commitment to developing basic and advanced programs  
20 and centers of excellence for the assessment, diagnosis, and  
21 treatment of child abuse and neglect.

22           (c) The department shall encourage collaboration among  
23 grant recipients in the development of program services and  
24 activities.

25           Sec. 261.602. USE OF GRANT. A grant awarded under this  
26 subchapter may be used to support:

27           (1) comprehensive medical evaluations, psychosocial

1 assessments, treatment services, and written and photographic  
2 documentation of abuse;

3 (2) education and training for health professionals,  
4 including physicians, medical students, resident physicians, child  
5 abuse fellows, and nurses, relating to the assessment, diagnosis,  
6 and treatment of child abuse and neglect;

7 (3) education and training for community agencies  
8 involved with child abuse and neglect, law enforcement officials,  
9 child protective services staff, and children's advocacy centers  
10 involved with child abuse and neglect;

11 (4) medical case reviews and consultations and  
12 testimony regarding those reviews and consultations;

13 (5) research, data collection, and quality assurance  
14 activities, including the development of evidence-based guidelines  
15 and protocols for the prevention, evaluation, and treatment of  
16 child abuse and neglect;

17 (6) the use of telemedicine and other means to extend  
18 services from regional programs into underserved areas; and

19 (7) other necessary activities, services, supplies,  
20 facilities, and equipment as determined by the department.

21 Sec. 261.603. GIFTS AND GRANTS. The commission may solicit  
22 and accept gifts, grants, and donations from any public or private  
23 source for the purposes of this subchapter.

24 Sec. 261.604. REQUIRED REPORT. Not later than December 1 of  
25 each even-numbered year, the commission shall submit a report to  
26 the governor and the legislature regarding the grant activities of  
27 the program and grant recipients, including the results and

1 outcomes of grants provided under this subchapter.

2 Sec. 261.605. RULES. The executive commissioner may adopt  
3 rules as necessary to implement this subchapter.

4 Sec. 261.606. APPROPRIATION REQUIRED. The commission is  
5 not required to award a grant under this subchapter unless the  
6 commission is specifically appropriated money for purposes of this  
7 subchapter.

8 SECTION 4. The administration and oversight activities of  
9 the MEDCARES grant program is transferred from the Department of  
10 State Health Services to the Health and Human Services Commission  
11 as of the of the effective date of this Act.

12 SECTION 5. This Act takes effect September 1, 2021.