

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 9, 2021**

**TO:** Honorable James B. Frank, Chair, House Committee on Human Services

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB642** by West (Relating to the provision of mental health services for certain children at risk of relinquishment.), **Committee Report 2nd House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
--

The bill amends Family Code to allow for a local mental health authority (LMHA) or local behavioral health authority (LBHA) to refer a child directly to the Health and Human Services Commission's (HHSC) relinquishment avoidance program. The bill would require HHSC and the Department of Family and Protective Services (DFPS) to jointly adopt guidance on the relinquishment avoidance program and protocols for families at risk of relinquishing a child for the sole purpose of accessing mental health services for the child. The bill would require DFPS, LMHAs, and LBHAs to follow the protocols. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

It is assumed that any costs to HHSC and DFPS associated with implementing the bill could be absorbed using existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AKI, SB, JLI