

BILL ANALYSIS

H.B. 4170
By: Campos
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Department of Family and Protective Services must be able to ensure that operators of child-placing agencies (CPAs) with demonstrated histories of significant health and safety violations may not open new CPAs immediately upon the Health and Human Services Commission's (HHSC) refusal to renew their current licenses. H.B. 4170 seeks to address this issue by clarifying the administrative hearing process following an HHSC license denial or proposal to suspend, revoke, or refuse to renew a license.

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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4170 amends the Human Resources Code to make a person whose license to serve as a child-care or child-placing agency administrator was refused renewal by the Health and Human Services Commission (HHSC) ineligible to apply for another license for a period of five years after HHSC refused to renew the license. The bill repeals provisions providing for the appeal of the revocation of a license or the denial of a license application outside of the process established by law for administrative hearings with the State Office of Administrative Hearings regarding the denial of a license or the proposed suspension, revocation, or refusal to renew a license. The bill's provisions apply only to a person whose license is refused renewal by HHSC on or after the bill's effective date.

H.B. 4170 repeals Section 43.011, Human Resources Code.

EFFECTIVE DATE

September 1, 2023.