

- SUBJECT:** Requiring youth camp personnel to complete program on sexual abuse
- COMMITTEE:** Human Services —favorable without amendment
- VOTE:** 8 ayes — Hupp, Eissler, A. Allen, J. Davis, Gonzalez Toureilles,
Goodman, Naishtat, Reyna
- 0 nays
- 1 absent — Paxton
- SENATE VOTE:** On final passage, April 29 — 28-1 (Ogden)
- WITNESSES:** For — David Bennett, Camp Longhorn; Courtney Hoffman, C.A.M.P. -
Camping Association for Mutual Progress; James Waters
- Against — None
- On — Elias Briseno, Department of State Health Services; (*Registered,
but not testify*: Michael Minoia, Department of State Health Services; Lisa
Worry, Council on Sex Offender Treatment)
- BACKGROUND:** Health and Safety Code, ch. 141, governs youth camps in Texas. Under
sec. 141.003, a person may not own or operate a youth camp without a
license issued by the Department of State Health Services (DSHS) and
must comply with ch. 141 and DSHS rules and orders. Sec. 141.0021
exempts from ch. 141 facilities and programs operated by or on the
campus of an institution of higher education if they are regularly inspected
by one or more local governmental entities for compliance with health and
safety standards.
- DIGEST:** SB 990 would require employees and volunteers at youth camps and those
applying for these positions who had involvement with campers to
complete a training and examination program on sexual abuse and child
molestation.
- DSHS-licensed camps would be prohibited from having employees or
volunteers who had contact with youth campers unless:

- the employee or volunteer submitted to the camp or the camp had on file verification that the employee or volunteer had successfully completed a DSHS training and examination program required by SB 990; or
- the employee or volunteer successfully completed the camp's training and examination program during the first work week with the camp and the camp filed documentation of the course completion.

Documentation on employees' and volunteers' compliance with SB 990 would have to be retained by the camp for two years after the examination date.

The executive commissioner of the Health and Human Services Commission (HHSC) would establish criteria and guidelines for youth camp programs on sexual abuse and child molestation. DSHS could approve programs offered by trainers under contract with a camp or by online training organizations or could approve programs in another format. SB 990 would establish criteria to be met by any training and examination program on sexual abuse and child molestation approved by the DSHS, including warning signs and symptoms associated with abuse and molestation.

DSHS could assess a fee to cover the cost of administering the program. The fee could be charged to each person who applied for department approval of a program. DSHS would assess each approved program at least every five years to ensure that it continued to meet statutory and DSHS criteria.

DSHS would appoint a training advisory committee to advise the department and HHSC in the development of criteria and guidelines for the programs. The committee could have a maximum of nine members selected by the commissioner of DSHS. At least two members would represent the general public, and others would have to include representatives of experienced camping professionals representing camping communities, youth camps, and the state's Council on Sex

Offender Treatment. Committee members would not receive compensation or reimbursement of expenses.

SB 990 would take effect September 1, 2005. Camps, employees and volunteers would not have to submit proof of completing a program or have the proof on file until June 1, 2006.

**SUPPORTERS
SAY:**

SB 990 is necessary to help protect children at Texas' youth camps from sexual abuse and molestation. Currently, there is no requirement that employees or volunteers at Texas' approximately 650 DSHS-licensed camps undergo training or education about sexual abuse or child molestation. Incidents of abuse and molestation have occurred at Texas camps, and these might have been prevented had camp employees and volunteers been trained to recognize signs of abuse or molestation.

The goal of SB 990 would be to prevent incidents of abuse and to educate all employees and volunteers to recognize signs of abuse being committed by others. Although other means are employed by some individual camps to help protect children, a statewide requirement is necessary to ensure all camps take such precautions. Although criminal background checks are conducted on some camp personnel, not all abusers applying to work at a camp would be detected this way because they may not have been convicted of a crime. The bill also could help prevent abusers from even seeking employment or volunteer opportunities at camps.

Complying with SB 990 would not be burdensome. The bill would give camps and camp personnel flexibility in how they met the bill's requirements. DSHS' would approve programs, and employees and volunteers could complete one of the approved programs, whether it be on-line or offered by the camp itself. Many existing programs already offered by camps likely would meet the criteria set by SB 990.

DSHS estimates it would approve about 200 programs in fiscal 2006 and about 20 annually after that, according to the fiscal note. The agency estimates it would charge each program an approval fee of only \$125 to generate the necessary revenue to cover costs.

SB 990 should not result in any significant increase in costs to campers. The \$125 approval fee charged by DSHS is modest and should easily be borne by any program that applied for approval. Because of the availability of programs, any fee charged to employees or volunteers would be nominal. Any fee passed on to campers should be minimal and worth the cost to help protect children and educate camp personnel about child sex abuse and molestation.

It would be best this session to require that camp personnel at DSHS-licensed camps take the course required by the bill and to work to extend the requirements later to youth camps operated by higher education institutions.

**OPPONENTS
SAY:**

SB 990 could lead to increased costs for campers if the cost of applying for an approved program was passed on to campers or if camps paid the costs of the programs for employees and volunteers and then passed this on to campers. This could result in a hardship, especially for non-profit camps, such as boy scout and girl scout camps .

**OTHER
OPPONENTS
SAY:**

SB 990 should include camps operated by colleges and universities. There is no reason to exclude youths at these camps from the protections that would be provided by the bill.