

BILL ANALYSIS

Senate Research Center
83R14239 MCK-F

H.B. 1648
By: Raymond (Nelson)
Health & Human Services
4/30/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1648 requires that all photos, videos, and recordings taken during child care licensing inspections and investigations be confidential, unless release is required by law. This change will ensure confidentiality laws are consistent with abuse and neglect investigations conducted by the Department of Family and Protective Services.

H.B. 1648 amends current law relating to the confidentiality of certain information held by the Department of Family and Protective Services.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 42.004, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 42, Human Resources Code, by adding Section 42.004, as follows:

Sec. 42.004. CONFIDENTIALITY OF INVESTIGATION INFORMATION. Provides that a photograph, videotape, audiotape, or other audio or visual recording, depiction, or documentation of a child that is made by the Department of Family and Protective Services in the course of an inspection or investigation authorized by this chapter or Section 261.401 (Agency Investigation), Family Code, is confidential, is not subject to release under Chapter 552 (Public Information), Government Code, and is authorized to be released only as required by state or federal law or rules adopted by the executive commissioner of the Health and Human Services Commission.

SECTION 2. Effective date: September 1, 2013.