

BILL ANALYSIS

Senate Research Center
85R20370 SCL-D

H.B. 492
By: Craddick (Perry)
Health & Human Services
5/11/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 492 amends the Health and Safety Code, to authorize the Department of State Health Services (DSHS) to grant a waiver from the requirements of the Texas Youth Camp Safety and Health Act to a program that is sponsored by a religious organization, has been in operation for at least 30 consecutive years, operates one camp for not more than seven days in any year, has not more than 80 campers, is conducted by adult participants who are all volunteers, operates in a county with a population of at least 4,400 but not more than 4,750, and ensures that background checks are conducted on and the training required under the act is completed by each adult participating in the program. H.B. 492 makes such a waiver valid until the waiver is revoked for cause by DSHS. H.B. 492 authorizes a person who operates a program for which an application for such a waiver has been denied or revoked to appeal the action in the manner provided for appeal of contested cases under the Administrative Procedure Act. H.B. 492 requires the executive commissioner of the Health and Human Services Commission to adopt rules necessary to implement the bill's provisions.

H.B. 492 amends current law relating to a waiver for certain programs from youth camp licensing.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 141, Health and Safety Code, by adding Section 141.0025, as follows:

Sec. 141.0025. WAIVER; APPEAL. (a) Authorizes the Department of State Health Services (DSHS) to grant a waiver from the requirements of this chapter (Youth Camps) to a program that meets certain criteria.

(b) Provides that a waiver granted by DSHS under Subsection (a) is valid until the waiver is revoked for cause by DSHS.

(c) Authorizes a person who operates a program for which an application for a waiver under this section has been denied or for which a waiver under this section has been revoked to appeal the action in the manner provided for appeal of contested cases under Chapter 2001 (Administrative Procedure), Government Code.

SECTION 2. Requires the executive commissioner of the Health and Human Services Commission, as soon as practicable after the effective date of this Act, to adopt rules necessary to implement Section 141.0025, Health and Safety Code, as added by this Act.

SECTION 3. Effective date: September 1, 2017.