

BILL ANALYSIS

Senate Research Center
80R5384 JMM-F

S.B. 802
By: Nichols
Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Department of State Health Service's child fatality review team state committee does not have representation from certain state agencies that could contribute to the improved safety and protection of children.

As proposed, S.B. 802 includes representatives from the Texas Department of Transportation and the Department of Family and Protective Services on the child fatality review team state committee.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 264.502(a), (b), (c), (e), and (h), Family Code, as follows:

- (a) Provides that the child fatality review team committee (committee) is composed of a person appointed by and representing the state registrar, rather than for the bureau, of vital statistics; a person appointed by and representing the commissioner of the Department of Family and Protective Services (DFPS), rather than the director of protective services for families and children; a person appointed by and representing the Title V director of the Department of State Health Services (DSHS), rather than the director of the bureau of epidemiology of the Texas Department of Health (TDH); and individuals selected under Subsection (b).
- (b) Includes representatives from both the Department of Public Safety and the Texas Department of Transportation among the members of the committee to be selected by certain persons in Subsection (a).
- (c) Provides that committee members serve three-year terms, with the terms of five or six members, as appropriate, expiring on February 1 of each year, rather than a two-year term that expires on February 1 of each even-numbered year.
- (e) Provides that a committee member is eligible for reappointment.
- (h) Requires that certain reimbursement for a person representing DFPS be paid from funds appropriated to DFPS, rather than TDH. Requires reimbursement for the travel expenses of other committee members to be paid by DSHS, rather than DFPS.

SECTION 2. Amends Sections 264.503(c), (d), and (f), Family Code, as follows:

- (c) Requires DFPS to work cooperatively with DSHS, the committee, and individual child fatality review teams (review teams). Makes conforming changes.
- (d) Requires DSHS to recognize the creation and participation of review teams. Makes conforming changes.

(f) Requires the committee to publish a compilation of the reports issued for each preventable child death and to submit those reports to certain officials not later than April 1, rather than December 1, of each year. Requires DFPS to submit a written response on the compilation describing which of the committee's recommendations DFPS will implement and the methods of implementation in the child protective services system, not later than October 1, rather than June 1, of each year.

SECTION 3. (a) Requires the committee member appointed by and representing the Title V director of DSHS, immediately before the effective date of this Act, to continue to serve as a committee member on and after that date until the date a new member is appointed by the Title V director of DSHS.

(b) Provides an expiration date of February 1, 2008, for the terms of certain committee members serving before the effective date of this Act. Requires the committee members appointed under Section 264.502(a), Family Code, as amended by this Act, to appoint the committee members listed under Section 264.502(b), Family Code, not later than February 1, 2008.

(c) Sets forth the process by which the terms of the committee members will be staggered.

SECTION 4. Effective date: September 1, 2007.