

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/26/2017

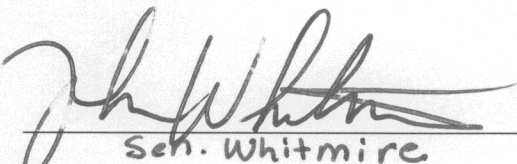
Date

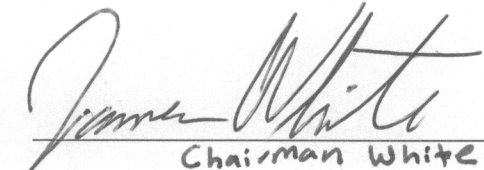
Honorable Dan Patrick  
President of the Senate


Honorable Joe Straus  
Speaker of the House of Representatives


Sirs:


We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on House Bill 1521 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.


  
Sen. Whitmire

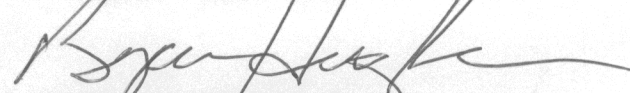
  
Chairman White

  
SEN. BINAWELL

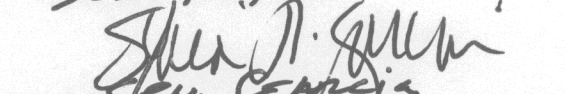
  
Rep. Hinojosa


  
SEN. BURTON

  
Rep. Keough

  
SEN. HUGHES

  
Rep. Romero

  
SEN. GARCIA  
On the part of the Senate

  
On the part of the House Rep. Wilson

### Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.



# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

H.B. No. 1521

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the exchange of certain information between the  
3 Department of Family and Protective Services or certain foster care  
4 services contractors and a state or local juvenile justice agency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 58.0052, Family Code, is amended by  
7 amending Subsection (a) and adding Subsections (b-1) and (b-2) to  
8 read as follows:

9 (a) In this section:

10 (1) "Juvenile justice agency" has the meaning assigned  
11 by Section 58.101.

12 (2) "Juvenile service provider" has the meaning  
13 assigned by Section 58.0051.

14 (3) [~~(2)~~] "Multi-system youth" means a person who:

15 (A) is younger than 19 years of age; and

16 (B) has received services from two or more  
17 juvenile service providers.

18 (4) [~~(3)~~] "Personal health information" means  
19 personally identifiable information regarding a multi-system  
20 youth's physical or mental health or the provision of or payment for  
21 health care services, including case management services, to a  
22 multi-system youth. The term does not include clinical  
23 psychological notes or substance abuse treatment information.

24 (b-1) At the request of a state or local juvenile justice

1 agency, the Department of Family and Protective Services or a  
2 single source continuum contractor who contracts with the  
3 department to provide foster care services shall, not later than  
4 the 14th business day after the date of the request, share with the  
5 juvenile justice agency information in the possession of the  
6 department or contractor that is necessary to improve and maintain  
7 community safety or that assists the agency in the continuation of  
8 services for or providing services to a multi-system youth who:

9           (1) is or has been in the temporary or permanent  
10 managing conservatorship of the department;

11           (2) is or was the subject of a family-based safety  
12 services case with the department;

13           (3) has been reported as an alleged victim of abuse or  
14 neglect to the department;

15           (4) is the perpetrator in a case in which the  
16 department investigation concluded that there was a reason to  
17 believe that abuse or neglect occurred; or

18           (5) is a victim in a case in which the department  
19 investigation concluded that there was a reason to believe that  
20 abuse or neglect occurred.

21           (b-2) At the request of the Department of Family and  
22 Protective Services or a single source continuum contractor who  
23 contracts with the department to provide foster care services, a  
24 state or local juvenile justice agency shall share with the  
25 department or contractor information in the possession of the  
26 juvenile justice agency that is necessary to improve and maintain  
27 community safety or that assists the department or contractor in

1 the continuation of services for or providing services to a  
2 multi-system youth who is or has been in the custody or control of  
3 the juvenile justice agency.

4         SECTION 2. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2017.

**House Bill 1521**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 58.0052, Family Code, is amended by adding Subsection (b-1) to read as follows:

*No equivalent provision.*

*(b-1) In addition to the information provided under Subsection (b), the Department of Family and Protective Services and the Texas Juvenile Justice Department shall share with each other, on request, any other information relating to a multi-system youth necessary to:*

*(1) identify and coordinate the provision of services to the youth;*

*(2) enhance rehabilitation of the youth; and*

*(3) improve and maintain community safety.*

SENATE VERSION (CS)

SECTION 1. Section 58.0052, Family Code, is amended by amending Subsection (a) and adding Subsections (b-1) and (b-2) to read as follows:

(a) In this section:

(1) "Juvenile justice agency" has the meaning assigned by Section 58.101.

(2) "Juvenile service provider" has the meaning assigned by Section 58.0051.

(3) ~~(2)~~ "Multi-system youth" means a person who:

(A) is younger than 19 years of age; and

(B) has received services from two or more juvenile service providers.

(4) ~~(3)~~ "Personal health information" means personally identifiable information regarding a multi-system youth's physical or mental health or the provision of or payment for health care services, including case management services, to a multi-system youth. The term does not include clinical psychological notes or substance abuse treatment information.

*(b-1) At the request of a state or local juvenile justice agency, the Department of Family and Protective Services or a single source continuum contractor who contracts with the department to provide foster care services shall, not later than the 14th business day after the date of the request, share with the juvenile justice agency information in the possession of the department or contractor that assists the agency in the continuation of services for or providing services to a multi-system youth who:*

*(1) is or has been in the temporary or permanent managing conservatorship of the department;*

*(2) is or was the subject of a family-based safety services*

CONFERENCE

SECTION 1. Same as Senate version except as follows:

Same as Senate version.

(b-1) Same as Senate version except includes information that is *necessary to improve and maintain community safety* as an alternative to information that assists the agency in the continuation of services for or providing services to a multi-system youth who meets one of the conditions set out in Subdivisions (1)-(5).

**House Bill 1521**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

case with the department;  
(3) has been reported as an alleged victim of abuse or neglect to the department;  
(4) is the perpetrator in a case in which the department investigation concluded that there was a reason to believe that abuse or neglect occurred; or  
(5) is a victim in a case in which the department investigation concluded that there was a reason to believe that abuse or neglect occurred.

*No equivalent provision.*

(b-2) At the request of the Department of Family and Protective Services or a single source continuum contractor who contracts with the department to provide foster care services, a state or local juvenile justice agency shall share with the department or contractor information in the possession of the juvenile justice agency that assists the department or contractor in the continuation of services for or providing services to a multi-system youth who is or has been in the custody or control of the juvenile justice agency.

(b-2) Same as Senate version except includes information that is *necessary to improve and maintain community safety* as an alternative to information that assists the department or contractor in the continuation of services for or providing services to a multi-system youth who is or has been in the custody or control of the juvenile justice agency.

SECTION 2. This Act takes effect September 1, 2017.

SECTION 2. *This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.*

SECTION 2. Same as Senate version.

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 27, 2017

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate  
Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB1521** by White (Relating to the exchange of certain information between the Department of Family and Protective Services or certain foster care services contractors and a state or local juvenile justice agency. ), **Conference Committee Report**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Family Code relating to the exchange of certain information between the Department of Family and Protective Services (DFPS) or certain foster care services contractors and a state or local juvenile justice entity. Based on information provided by DFPS, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect immediately upon a two-thirds vote of each house, otherwise the bill would take effect September 1, 2017.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 529 Health and Human Services Commission, 530 Family and Protective Services, Department of

**LBB Staff:** UP, FR, EP, JLi, SD, JGA



## Certification of Compliance with

### Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires a copy of a conference committee report signed by a majority of each committee of the conference to be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order under Rule 13.

I certify that a copy of the conference committee report on HB 1521 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.

  
\_\_\_\_\_

(name)

5/26/17  
\_\_\_\_\_

(date)

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