

- SUBJECT:** Exempting certain child care facilities from liability insurance
- COMMITTEE:** Human Services — favorable, without amendment
- VOTE:** 8 ayes — Hilderbran, Naishtat, Davila, Denny, J. Jones, Krusee, Maxey, Wohlgemuth  
1 absent — Park
- WITNESSES:** For — Rita Powell, Texas Association of Licensed Children’s Services  
Against — None
- BACKGROUND:** In 1993 Texas lawmakers enacted HB 1114, requiring that licensed child-care facilities maintain liability insurance coverage. The requirement, now in Human Resources Code sec. 42.0491, is for each licensed child-care facility to carry \$300,000 for each occurrence of negligence, including coverage of injuries to children that occur on the license holder’s premises or while the child is in the license holder’s care. Group or registered day care homes are exempt from the requirements.
- The Department of Protective and Regulatory Services (PRS) has applied the requirement to institutions providing 24-hour care, as well as those providing day care.
- DIGEST:** HB 1418 would exempt from the liability insurance requirement in Human Resources Code sec. 42.0491 the following child-care facilities:
- child-care institutions;
  - foster group homes;
  - foster family homes;
  - agency group homes; and
  - child-placing agencies.

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The bill would take effect immediately if approved by a two-thirds membership of each house.