

- SUBJECT:** Medical, psychiatric, other research on youths in probation system
- COMMITTEE:** Juvenile Justice and Family Issues — committee substitute recommended
- VOTE:** 5 ayes — Eiland, Farias, Farrar, Gonzalez Toureilles, Hernandez
0 nays
4 absent — Dutton, Bolton, Strama, Vaught
- WITNESSES:** For — Lee Spiller, Citizens Commission on Human Rights; (*Registered, but did not testify*: Will Harrell, ACLU, NAACP; Judy Powell and Johana Scot, Parent Guidance Center
Against — None
- BACKGROUND:** Under Human Resources Code, sec. 141.048, the Texas Juvenile Probation Commission (TJPC) is authorized to conduct or participate in studies about corrections methods and systems and about treatment and therapy programs at the governor's request or its own motion. TJPC is required continuously to study the effectiveness of probation services and report its findings to the governor and the Legislature.
- DIGEST:** CSHB 1113 would prohibit medical, pharmaceutical, or cosmetic research from being conducted on children in the juvenile probation system. This prohibition would not apply to survey research or retrospective studies based only on medical records, claims data, or outcome data.

The Texas Juvenile Probation Commission would be required to keep records relating to children in the juvenile probation system that participate in research programs or studies. The records would have to show, quarterly and annually, the number of children participating in research programs or studies, the type of research program or study in which each child participated, the name of the principal investigators for the programs and studies, and the entity sponsoring the program or study. The report would be public information and would be submitted to the governor, the lieutenant governor, the speaker of the House, and the Legislature.

The prohibition in CSHB 1113 would override any overlap with Human Resources Code, sec. 141.048, which allows TJPC to do certain types of research on corrections methods and systems, treatment and therapy programs, and the effectiveness of probation services.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007. The bill would apply to children who entered the juvenile probation system before, on, or after its effective date.