

BILL ANALYSIS

Senate Research Center

S.B. 1475
By: Shapiro
Health & Human Services
4-1-97
As Filed

DIGEST

Currently, Texas child-care facilities are subject to duplicative inspections by many levels of government, and the various inspecting agencies are not required to coordinate activities or share inspection data. For example, the Department of Protective and Regulatory Services (DPRS), the Texas Workforce Commission's Child Care Management System, the Texas Department of Human Services' Federal Special Nutrition Program, and city and county health departments all perform such inspections, leading to inefficiencies for both the agencies and the child care facilities. The Texas Performance Review's recommendation addresses these problems by suggesting that DPRS be designated the lead agency for all inspections. This legislation streamlines the child care facility inspection process by requiring DPRS to coordinate inspection activities and share data to eliminate redundancies and inefficiencies in the current process.

PURPOSE

As proposed, S.B. 1475 provides for the inspection of child-care facilities.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Department of Protective and Regulatory Services in SECTION 1 (Section 42.0442(c), Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 42C, Human Resources Code, by adding Sections 42.0441-42.0443, as follows:

Sec. 42.0441. INSPECTION RESULTS. Requires the authorized representative of the division designated by the Department of Protective and Regulatory Services (DPRS) to carry out the provisions of this chapter (division), immediately after completing an inspection of a child-care facility under Section 42.044, to review the results with a representative of the facility and give the facility an opportunity to respond.

Sec. 42.0442. COORDINATION OF INSPECTIONS; ELIMINATION OF DUPLICATIVE INSPECTIONS. Requires DPRS to coordinate child-care facility inspections performed by an agency or subdivision of the state to eliminate redundant inspections. Prohibits an inspection from duplicating an inspection conducted by another agency or subdivision. Requires DPRS to assign items that may be inspected by more than one agency or subdivision of the state to only one agency or subdivision. Sets forth the terms by which DPRS, with the assistance of the comptroller, by rule, is required to adopt each inspection form used in inspecting a facility.

Sec. 42.0443. INSPECTION INFORMATION DATABASE. Sets forth the terms by which DPRS is required to establish a computerized database containing the information from each inspection.

SECTION 2. Sets forth the terms by which, not later than January 1, 1998, DPRS is required to establish a pilot program in a medium-sized city that would allow a facility inspector in the field to perform certain functions. Requires DPRS to report to the legislature regarding the pilot program's

effectiveness not later than January 15, 1999. Provides that this section expires September 1, 1999.

SECTION 3. (a) Effective date: September 1, 1997.

(b) Requires each agency or subdivision that inspects facilities to submit a copy of the inspection form to DPRS not later than September 15, 1997.

(c) Requires DPRS to adopt the inspection forms not later than January 1, 1998.

SECTION 4. Emergency clause.