

## **BILL ANALYSIS**

Senate Research Center

H.B. 908  
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Human Services  
5/10/1999  
Engrossed

### **DIGEST**

Currently, the Special Senses and Communication Disorders Act, Chapter 36, Health and Safety Code, requires each day-care center and group day-care home to screen each child for vision and hearing disorders not later than 120 days after the admission of a child, to maintain screening records for each child in attendance, and to provide the Texas Department of Health (TDH) with an annual report which lists children in attendance, and dates of vision and hearing screenings. However, according to TDH, between 1996 and 1997, only 2,186 out of the 6,237 day-care centers and group day-care homes operating in Texas complied with the reporting requirement. H.B. 908 would enforce the screening requirements for vision, hearing, and other special senses and communication disorders of children in certain licensed child-care facilities.

### **PURPOSE**

As proposed, H.B. 908 enforces the screening requirements for vision, hearing, and other special senses and communication disorders of children in certain licensed child-care facilities.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas Department of Protective and Regulatory Services in SECTION 1(Section 42.0431(a), Chapter 42C, Human Resources Code) and SECTION 2 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 42C, Human Resources Code, by adding Section 42.0431, as follows:

Sec. 42.0431. ENFORCEMENT OF SCREENING REQUIREMENTS RELATING TO VISION, HEARING, AND OTHER SPECIAL SENSES AND COMMUNICATION DISORDERS. Requires the Texas Department of Protective and Regulatory Services (department), after consultation with the Texas Department of Health (TDH), to adopt rules necessary to ensure that children receiving care at a day-care center or group day-care home licensed under this chapter are screened for vision, hearing, and any other special senses or communication disorders in compliance with rules adopted by TDH under Section 36.004, Health and Safety Code. Requires each day-care center or group day-care home licensed under this chapter to maintain individual screening records for children attending the facility who are required to be screened, and the department may inspect those records at any reasonable time. Requires the department to coordinate the monitoring inspections in compliance with protocol agreements adopted between the department and TDH pursuant to Section 42.0442. Provides that this section does not apply to a day-care or group day-care center home operating under a certificate issued by the department under Subchapter E.

SECTION 2. Requires the department to adopt rules required by Section 42.0431, Human Resources Code, as added by this Act, as soon as possible after the effective date of this Act.

SECTION 3. Emergency clause.  
Effective date: upon passage.