

## **BILL ANALYSIS**

Senate Research Center

H.B. 1999  
By: Van Arsdale et al. (Lindsay)  
Jurisprudence  
5/19/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

H.B. 1999 requires biological parents to report their medical history and that of their ancestors to the adopting parents of a child. The bill requires the Department of Family and Protective Services and the Department of State Health Services to jointly create a form that notes a child's medical tendencies. This would provide adopting parents with clear information about their child's health and promote greater transparency within adoption services. Prior knowledge of potential risks and conditions is necessary for making health care decisions in the child's best interest.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 161, Family Code, by adding Section 161.1031, as follows:

Sec. 161.1031. **MEDICAL HISTORY REPORT.** (a) Requires a parent who signs an affidavit of voluntary relinquishment of parental rights regarding a biological child to also prepare a medical history report that addresses the medical history of the parent and the parent's ancestors.

(b) Requires the Department of Family and Protective Services (DFPS), in cooperation with the Department of State Health Services, to adopt a form that a parent may use to comply with this section. Requires the form to be designed to permit the parent to identify any medical condition of the parent or the parent's ancestors that could indicate a predisposition for the child to develop the condition.

(c) Requires the medical history report to be used in preparing the health, social, educational, and genetic history report and to be made available to certain persons.

SECTION 2. Amends Subchapter C, Chapter 161, Family Code, by adding Section 161.2021, as follows:

Sec. 161.2021. **MEDICAL HISTORY REPORT.** (a) Requires the court, in a termination suit, to order each parent before the court to provide information regarding the medical history of the parent and the parent's ancestors.

(b) Authorizes a parent to comply with the court's order under this section by completing the medical history report form adopted by DFPS under Section 161.1031.

(c) Requires the information provided under this section, if DFPS is a party to the termination suit, to be maintained in DFPS records relating to the child and made available to persons with whom the child is placed.

SECTION 3. Makes application of Section 161.1031, Family Code, as added by this Act, prospective.

SECTION 4. Makes application of Section 161.2021, Family Code, as added by this Act, prospective.

SECTION 5. Effective date: September 1, 2005.