BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In Bexar County, local officials have embarked on a multi-agency children's diversion project. The project's aim is early identification of the needs of at-risk youth so that they can be addressed quickly and accurately, hopefully diverting children away from the juvenile justice system and child protective services.

A large barrier to coordinated assessments and intervention services is the inability of community agencies to communicate regarding the needs of the children under their care. Complex state and federal laws and codes of ethics that surround the issue of informed consent and confidentiality have paralyzed certain public and private agencies' ability to efficiently or effectively communicate among themselves.

As proposed, S.B. 1311 establishes protocols for maximizing the exchange of information between governmental entities concerning at-risk youths.

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 A, Chapter 58, Family Code, by adding Section 58.0052, as follows:

> Sec. 58.0052. EXCHANGE OF INFORMATION CONCERNING AT-RISK YOUTH. (a) Defines "agency" and "at-risk youth."
>
> > (b) Requires an agency to disclose to another agency certain information relating to an at-risk youth if the disclosure serves the purposes provided under Subsection (c) and to accept information relating to an at-risk youth that is sent to the agency for the purposes provided under Subsection (c), regardless of whether other state law makes that information confidential.
> >
> > (c) Authorizes an agency to use information provided to the agency under this section only to assist the agency in protecting the community or in providing services to the at-risk youth who is the subject of the information.

SECTION 2. Effective date: September 1, 2007.