

## **BILL ANALYSIS**

Senate Research Center

S.B. 703  
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Health & Human Services  
9/8/2009  
Enrolled

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

When a child in state conservatorship is placed for adoption, the Department of Family and Protective Services (DFPS) requests the certified birth certificate from the Department of State Health Services (DSHS), and then transfers funds to cover the costs of providing that information through an interagency transfer process. Adoptions have been delayed for some children in state conservatorship because of difficulty obtaining the court-required certified birth certificate.

S.B. 703 amends current law relating to the provision of a certified copy of a birth certificate for certain minors receiving services from DFPS and to the amendment of birth and death certificates.

[**Note:** While the statutory reference in this bill is to the Texas Department of Health (TDH), the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

### **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 Section 191.0047, Health and Safety Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Requires the terms of the memorandum of understanding, subject to Subsection (c), to include methods for reimbursing the Department of State Health Services (DSHS) in an amount that is not more than the actual costs DSHS incurs in verifying the birth information or providing the birth record to the Department of Family and Protective Services (DFPS).

(c) Prohibits DSHS from collecting a fee or other amount for verification of birth information or provision of a certified copy of the birth record under Subsection (a) for a child in the managing conservatorship of DFPS if parental rights to the child have been terminated and the child is eligible for adoption.

SECTION 2. Amends Section 191.028, Health and Safety Code, by adding Subsection (c) as follows:

(c) Requires the Texas Department of Health (TDH), not later than the 30th business day after the date TDH receives an amending certificate, to notify the individual of whether the amendment has been accepted for filing.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2009.