

BILL ANALYSIS

Senate Research Center
85R23678 MCK-D

H.B. 1160
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerned parties assert that judges ordering health care for children in the conservatorship of the Department of Family and Protective Services often fail to consult with appropriate health professionals. H.B. 1160 addresses this issue by establishing certain consultation requirements that must be met before a court renders an order requiring or prohibiting specific health care services, procedures, or treatments for such a child.

H.B. 1160 amends current law relating to a court order for health care for a child in the conservatorship of the Department of Family and Protective Services.

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 the heading to Chapter 266, Family Code, to read as follows:

CHAPTER 266. MEDICAL CARE AND EDUCATIONAL SERVICES FOR CHILDREN IN
CONSERVATORSHIP OF DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

SECTION 2. Amends Chapter 266, Family Code, by adding Section 266.005, as follows:

Sec. 266.005. CONSULTATION FOR HEALTH CARE. (a) Prohibits a court from rendering an order requiring or prohibiting specific health care services, procedures, or treatments, including mental health care services, procedures, or treatments, for a child in the conservatorship of the Department of Family and Protective Services (DFPS) unless the court verifies that a health professional providing services, procedures, or treatments within the scope of practice of the health professional's occupation has been consulted regarding the proposed care and has recommended the proposed care.

(b) Provides that Subsection (a) does not apply to a court order for emergency medical care, including mental health care, for a child in the conservatorship of DFPS.

SECTION 3. Effective date: upon passage or September 1, 2017.