

1-1 By: Whitmire S.B. No. 1857
 1-2 (In the Senate - Filed March 10, 2017; March 23, 2017, read
 1-3 first time and referred to Committee on Criminal Justice;
 1-4 April 10, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 10, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1857 By: Whitmire

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the exchange of certain information between the
 1-22 Department of Family and Protective Services or certain foster care
 1-23 services contractors and a state or local juvenile justice agency.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 58.0052, Family Code, is amended by
 1-26 amending Subsection (a) and adding Subsections (b-1) and (b-2) to
 1-27 read as follows:

1-28 (a) In this section:

1-29 (1) "Juvenile justice agency" has the meaning assigned
 1-30 by Section 58.101.

1-31 (2) "Juvenile service provider" has the meaning
 1-32 assigned by Section 58.0051.

1-33 (3) ~~(2)~~ "Multi-system youth" means a person who:

1-34 (A) is younger than 19 years of age; and

1-35 (B) has received services from two or more
 1-36 juvenile service providers.

1-37 (4) ~~(3)~~ "Personal health information" means
 1-38 personally identifiable information regarding a multi-system
 1-39 youth's physical or mental health or the provision of or payment for
 1-40 health care services, including case management services, to a
 1-41 multi-system youth. The term does not include clinical
 1-42 psychological notes or substance abuse treatment information.

1-43 (b-1) At the request of a state or local juvenile justice
 1-44 agency, the Department of Family and Protective Services or a
 1-45 single source continuum contractor who contracts with the
 1-46 department to provide foster care services shall, not later than
 1-47 the 14th business day after the date of the request, share with the
 1-48 juvenile justice agency information in the possession of the
 1-49 department or contractor that assists the agency in the
 1-50 continuation of services for or providing services to a
 1-51 multi-system youth who:

1-52 (1) is or has been in the temporary or permanent
 1-53 managing conservatorship of the department;

1-54 (2) is or was the subject of a family-based safety
 1-55 services case with the department;

1-56 (3) has been reported as an alleged victim of abuse or
 1-57 neglect to the department;

1-58 (4) is the perpetrator in a case in which the
 1-59 department investigation concluded that there was a reason to
 1-60 believe that abuse or neglect occurred; or

2-1 (5) is a victim in a case in which the department
2-2 investigation concluded that there was a reason to believe that
2-3 abuse or neglect occurred.

2-4 (b-2) At the request of the Department of Family and
2-5 Protective Services or a single source continuum contractor who
2-6 contracts with the department to provide foster care services, a
2-7 state or local juvenile justice agency shall share with the
2-8 department or contractor information in the possession of the
2-9 juvenile justice agency that assists the department or contractor
2-10 in the continuation of services for or providing services to a
2-11 multi-system youth who is or has been in the custody or control of
2-12 the juvenile justice agency.

2-13 SECTION 2. This Act takes effect immediately if it receives
2-14 a vote of two-thirds of all the members elected to each house, as
2-15 provided by Section 39, Article III, Texas Constitution. If this
2-16 Act does not receive the vote necessary for immediate effect, this
2-17 Act takes effect September 1, 2017.

2-18 * * * * *