

1-1 By: Perry S.B. No. 195  
1-2 (In the Senate - Filed November 15, 2018; February 1, 2019,  
1-3 read first time and referred to Committee on Health & Human  
1-4 Services; March 18, 2019, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
1-6 March 18, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Kolkhorst	X		
1-10	Perry	X		
1-11	Buckingham	X		
1-12	Campbell	X		
1-13	Flores	X		
1-14	Johnson	X		
1-15	Miles	X		
1-16	Powell	X		
1-17	Seliger	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 195 By: Perry

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

1-21 relating to collecting and reporting by the Department of Family  
1-22 and Protective Services and the Health and Human Services  
1-23 Commission of certain information relating to certain alcohol and  
1-24 controlled substance use and treatment.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 162.007(a), Family Code, is amended to  
1-27 read as follows:

1-28 (a) The health history of the child must include information  
1-29 about:

1-30 (1) the child's health status at the time of placement;

1-31 (2) the child's birth, neonatal, and other medical,  
1-32 psychological, psychiatric, and dental history information,  
1-33 including to the extent known by the Department of Family and  
1-34 Protective Services based on the information collected under  
1-35 Section 264.019 [department]:

1-36 (A) whether the child's birth mother consumed  
1-37 alcohol during pregnancy; and

1-38 (B) whether the child has been diagnosed with  
1-39 fetal alcohol spectrum disorder;

1-40 (3) a record of immunizations for the child; and

1-41 (4) the available results of medical, psychological,  
1-42 psychiatric, and dental examinations of the child.

1-43 SECTION 2. Subchapter A, Chapter 264, Family Code, is  
1-44 amended by adding Section 264.019 to read as follows:

1-45 Sec. 264.019. COLLECTION AND REPORTING OF ALCOHOL AND  
1-46 CONTROLLED SUBSTANCE STATISTICS. (a) The department shall  
1-47 collect the following information and update the department's  
1-48 automated case tracking and information management system to allow  
1-49 caseworkers to record:

1-50 (1) the number of children reported to the department  
1-51 who at birth tested positive for the presence of alcohol or a  
1-52 controlled substance;

1-53 (2) the controlled substances for which the children  
1-54 described by Subdivision (1) tested positive;

1-55 (3) the number of children described by Subdivision  
1-56 (1) who were removed from their homes and have been diagnosed as  
1-57 having a disability or chronic medical condition resulting from the  
1-58 presence of alcohol or controlled substances; and

1-59 (4) the number of parents who test positive for the  
1-60 presence of a controlled substance during a department

2-1 investigation of a report of abuse or neglect of the parent's child.  
2-2 (b) Not later than November 1 of each year, the department  
2-3 shall:  
2-4 (1) prepare for the preceding year a report  
2-5 containing:  
2-6 (A) the information collected under Subsection  
2-7 (a); and  
2-8 (B) the data collected under Section 531.02143,  
2-9 Government Code;  
2-10 (2) post a copy of the report prepared under  
2-11 Subdivision (1) on the department's Internet website; and  
2-12 (3) electronically submit to the legislature a copy of  
2-13 the report.  
2-14 (c) The commissioner of the department shall adopt rules  
2-15 necessary to implement this section.  
2-16 (d) The department is required to implement this section in  
2-17 a state fiscal biennium only if the commissioner of the department  
2-18 determines that the legislature has specifically appropriated an  
2-19 amount sufficient to update the department's automated case  
2-20 tracking and information management system. If the commissioner of  
2-21 the department does not make that determination, the department  
2-22 shall implement this section not later than the date of the  
2-23 department's next update of the automated case tracking and  
2-24 information management system.  
2-25 SECTION 3. Subchapter B, Chapter 531, Government Code, is  
2-26 amended by adding Section 531.02143 to read as follows:  
2-27 Sec. 531.02143. DATA REGARDING POSTNATAL ALCOHOL AND  
2-28 CONTROLLED SUBSTANCE TREATMENT. (a) The commission shall collect  
2-29 hospital discharge data for Medicaid recipients regarding  
2-30 treatment of a newborn child for prenatal exposure to alcohol or a  
2-31 controlled substance.  
2-32 (b) The commission shall provide the data collected under  
2-33 Subsection (a) to the Department of Family and Protective Services.  
2-34 SECTION 4. This Act takes effect January 1, 2020.

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