

1-1 By: Zaffirini, Campbell S.B. No. 708
1-2 (In the Senate - Filed February 8, 2019; March 1, 2019, read
1-3 first time and referred to Committee on Health & Human Services;
1-4 April 25, 2019, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 25, 2019,
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. 708 By: Perry

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

1-21 relating to collection and use of child safety data for licensed
1-22 day-care centers.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter C, Chapter 42, Human Resources Code,
1-25 is amended by adding Section 42.0412 to read as follows:

1-26 Sec. 42.0412. COLLECTION OF LICENSED DAY-CARE CENTER DATA.

1-27 (a) In this section, "group of children" and "specified age" are
1-28 determined by the formula provided in the commission's minimum
1-29 standards for child-care centers.

1-30 (b) The commission, in collaboration with the department
1-31 and using existing resources, shall collect, compile, and publish
1-32 on the commission's Internet website the following data aggregated
1-33 by child age on reported incidents in licensed day-care centers
1-34 that threaten or impair the basic health, safety, or welfare of a
1-35 child:

1-36 (1) the number of incidents investigated by the
1-37 commission or department and assigned the commission's highest
1-38 priority;

1-39 (2) the number of incidents investigated by the
1-40 commission or department and assigned the commission's
1-41 second-highest priority;

1-42 (3) the number of violations;

1-43 (4) the number of confirmed serious injuries to
1-44 children; and

1-45 (5) the number of child fatalities.

1-46 (c) During each monitoring inspection of a licensed
1-47 day-care center the commission conducts, the commission, using
1-48 existing resources, shall collect the following data for each group
1-49 of children four years of age and younger in the day-care center:

1-50 (1) the specified age of the children in the group;

1-51 (2) the number of children in the group; and

1-52 (3) the number of caregivers supervising the children
1-53 in the group.

1-54 (d) The commission shall make the data collected under this
1-55 section available to persons researching the factors related to
1-56 child injury, maltreatment, and death in licensed day-care centers
1-57 on request.

1-58 (e) The commission, using existing resources, shall provide
1-59 an annual report to the legislature that includes:

1-60 (1) the number of confirmed serious injuries and

2-1 fatalities for children four years of age and younger that occurred
2-2 at each licensed day-care center, including information collected
2-3 by the department, aggregated by the age of the injured or deceased
2-4 child;

2-5 (2) the priority assigned to the investigation
2-6 conducted by the commission or department in response to an
2-7 incident that resulted in a serious injury or child fatality;

2-8 (3) the number of investigations conducted by the
2-9 commission or department at each licensed day-care center involving
2-10 a child four years of age or younger that were assigned the highest
2-11 priority or second-highest priority, aggregated by the age of the
2-12 youngest affected child; and

2-13 (4) the number of violations the commission found at
2-14 each licensed day-care center during investigations described by
2-15 Subdivision (3).

2-16 SECTION 2. Section 42.042, Human Resources Code, is amended
2-17 by adding Subsection (m-1) to read as follows:

2-18 (m-1) Not later than January 1, 2021, the executive
2-19 commissioner shall review the data collected under Section 42.0412
2-20 and prepare and submit to the legislature a report that includes
2-21 recommendations regarding modifications to the minimum standards
2-22 by age group to enhance child safety. This subsection expires
2-23 September 1, 2023.

2-24 SECTION 3. Notwithstanding Section 42.0412(d), Human
2-25 Resources Code, as added by this Act, the Health and Human Services
2-26 Commission is not required to comply with that subsection until
2-27 January 31, 2020.

2-28 SECTION 4. This Act takes effect immediately if it receives
2-29 a vote of two-thirds of all the members elected to each house, as
2-30 provided by Section 39, Article III, Texas Constitution. If this
2-31 Act does not receive the vote necessary for immediate effect, this
2-32 Act takes effect September 1, 2019.

2-33 * * * * *