

AN ACT

relating to the administrative closure of certain reported cases of child abuse or neglect made to the Department of Family and Protective Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 261, Family Code, is amended by adding Section 261.3017 to read as follows:

Sec. 261.3017. ABBREVIATED INVESTIGATION AND ADMINISTRATIVE CLOSURE OF CERTAIN CASES. (a) A department caseworker may refer a reported case of child abuse or neglect to a department supervisor for abbreviated investigation or administrative closure at any time before the 60th day after the date the report is received if:

(1) there is no prior report of abuse or neglect of the child who is the subject of the report;

(2) the department has not received an additional report of abuse or neglect of the child following the initial report;

(3) after contacting a professional or other credible source, the caseworker determines that the child's safety can be assured without further investigation, response, services, or assistance; and

(4) the caseworker determines that no abuse or neglect occurred.

(b) A department supervisor shall review each reported case

1 of child abuse or neglect that has remained open for more than 60  
2 days and administratively close the case if:

3 (1) the supervisor determines that:

4 (A) the circumstances described by Subsections  
5 (a)(1)-(4) exist; and

6 (B) closing the case would not expose the child  
7 to an undue risk of harm; and

8 (2) the department director grants approval for the  
9 administrative closure of the case.

10 (c) A department supervisor may reassign a reported case of  
11 child abuse or neglect that does not qualify for abbreviated  
12 investigation or administrative closure under Subsection (a) or (b)  
13 to a different department caseworker if the supervisor determines  
14 that reassignment would allow the department to make the most  
15 effective use of resources to investigate and respond to reported  
16 cases of abuse or neglect.

17 (d) The executive commissioner shall adopt rules necessary  
18 to implement this section.

19 (e) In this section, "professional" means an individual who  
20 is licensed or certified by the state or who is an employee of a  
21 facility licensed, certified, or operated by the state and who, in  
22 the normal course of official duties or duties for which a license  
23 or certification is required, has direct contact with children.  
24 The term includes teachers, nurses, doctors, day-care employees,  
25 employees of a clinic or health care facility that provides  
26 reproductive services, juvenile probation officers, and juvenile  
27 detention or correctional officers.

1           SECTION 2. Not later than December 1, 2017, the executive  
2 commissioner of the Health and Human Services Commission shall  
3 adopt the rules necessary to implement Section 261.3017, Family  
4 Code, as added by this Act.

5           SECTION 3. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2017.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 190 passed the Senate on April 20, 2017, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 25, 2017, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 190 passed the House, with amendment, on May 19, 2017, by the following vote: Yeas 143, Nays 0, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor