

FIFTY-FOURTH LEGISLATURE  
FIRST SESSION, 2019

HB 230/a

March 14, 2019

Mr. President:

Your **CORPORATIONS AND TRANSPORTATION COMMITTEE**, to whom has been referred

**HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 230**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 19, after the semicolon, insert "REQUIRING NOTIFICATION OF NONCOMPLIANCE WITH A PLAN OF CARE;"

2. On page 5, line 18, after "caregivers", insert "to the extent those treatment needs are relevant to the safety of the child".

3. On page 10, lines 2 and 3, strike "and the child's parents, relatives, guardians or caretakers".

4. On page 15, between lines 20 and 21, insert the following new section:

"SECTION 4. A new section of the Children's Code is enacted to read:

"[NEW MATERIAL] NOTIFICATION TO THE DEPARTMENT OF NONCOMPLIANCE WITH A PLAN OF CARE.--

A. If the parents, relatives, guardians or caretakers of a child released from a hospital or freestanding birthing center pursuant to a plan of care fail to comply with that plan, the department shall be notified and the department may conduct a family assessment. Based on the results of the family assessment, the department may offer or provide referrals for counseling, training, or other services aimed at addressing the underlying causative factors that may jeopardize the safety or well-being of the child.

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The child's parents, relatives, guardians or caretakers may choose to accept or decline any service or program offered subsequent to the family assessment; provided that if the child's parents, relatives, guardians or caretakers decline those services or programs, the department may proceed with an investigation.

B. As used in this section, "family assessment" means a comprehensive assessment prepared by the department at the time the department receives notification of failure to comply with the plan of care to determine the needs of a child and the child's parents, relatives, guardians or caretakers, including an assessment of the likelihood of:

- (1) imminent danger to a child's well-being;
- (2) the child becoming an abused child or neglected child; and
- (3) the strengths and needs of the child's family members, including parents, relatives, guardians or caretakers, with respect to providing for the health and safety of the child."".

5. Renumber the succeeding section accordingly.

6. On page 16, line 13, after "caregivers", insert "to the extent those treatment needs are relevant to the safety of the child".

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Respectfully submitted,

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SENATOR CLEMENTE SANCHEZ, CHAIRMAN

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 0 Against  
Yes: 7  
No: 0  
Excused: Woods  
Absent: None

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