

- SUBJECT:** Authorizing HHSC to obtain certain criminal history record information
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 10 ayes — S. Thompson, Wray, Allison, Frank, Guerra, Lucio, Ortega, Price, Sheffield, Zedler
- 0 nays
- 1 absent — Coleman
- SENATE VOTE:** On final passage, April 16 — 31-0
- WITNESSES:** *On House companion bill, HB 3699:*
For — None
- Against — None
- On — (*Registered, but did not testify:* Rachelle Daniel and Maureen Franz, Health and Human Services Commission)
- BACKGROUND:** Government Code ch. 411, subch. F entitles multiple agencies, including the Department of Family and Protective Services and the Department of State Health Services, to obtain from the Department of Public Safety certain criminal history record information regarding certain license applicants and holders and employees, contractors, and volunteers of various entities.
- Observers suggest the need to clarify the Health and Human Services Commission's authority to conduct background checks of certain staff, licensees, and employees and volunteers of certain entities.
- DIGEST:** SB 2200 would make changes to statutes in Government Code ch. 411, subch. F to authorize the Health and Human Services Commission (HHSC) and the Texas Workforce Commission to obtain certain criminal history record information from the Department of Public Safety. The bill

also would codify terminology relating to individuals with intellectual and developmental disabilities.

The bill would specify circumstances in which the Department of Family and Protective Services or HHSC could release certain criminal history record information. Such information could be released to adults if an alleged perpetrator of abuse, neglect, or exploitation was the subject of the information and the department or commission determined that the release of the information would be necessary to ensure the alleged victim's or adult's safety.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.