

## **BILL ANALYSIS**

Senate Research Center  
83R1268 ADM-D

H.B. 908  
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Health & Human Services  
5/8/2013  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties note that the Human Resources Code allows only for master social workers and licensed psychologists to perform psychological assessments of a disabled or elderly person, who might be suffering from abuse, neglect, or exploitation in order to recommend emergency protective services without the consent of such person. The parties are concerned that due to the limited number of master social workers and licensed psychologists available in rural counties, disabled or elderly persons suffering from abuse, neglect, or exploitation, which may present a threat to the person's life or physical safety, are not being adequately protected.

H.B. 908 seeks to add licensed professional counselors to the list of those eligible to perform psychological assessments of disabled or elderly persons suffering from abuse, neglect, or exploitation, in order to ensure such persons have the same access to emergency protective services as those in urban counties.

H.B. 908 amends current law relating to the assessment of an elderly or disabled person's psychological status for purposes of an emergency order authorizing protective services.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 48.208(c-3), Human Resources Code, as follows:

(c-3) Requires that an assessment of the elderly or disabled person's psychological status be performed by a licensed professional counselor, licensed psychologist, or master social worker who has training and expertise in issues related to abuse, neglect, and exploitation. Requires the person performing the assessment to sign a report stating:

- (1) Makes no change to this subdivision; and
- (2) that in the professional opinion of the licensed professional counselor, licensed psychologist, or master social worker, as applicable, the issuance of an emergency order authorizing protective services without the elderly or disabled person's consent is necessary under the circumstances.

SECTION 2. Effective date: upon passage or September 1, 2013.