

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 22, 2015

TO: Honorable Charles Schwertner, Chair, Senate Committee on Health & Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2070** by Thompson, Senfronia (Relating to certain requirements for certain facilities licensed by the Department of Family and Protective Services and the department's enforcement authority.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 42 of the Human Resources Code. The bill would allow the Department of Family and Protective Services (DFPS) to waive the notice and hearing requirements for an applicant meeting certain criteria.

The bill would also partially implement Sunset recommendations for DFPS. The bill removes the current child care regulatory fee cap; allowing the executive commissioner of the Health and Human Services Commission (HHSC) to set the fee. The bill would require HHSC to adopt general enforcement policy that describes DFPS' approach to enforcement of the regulation of child care providers. DFPS would be required to develop and implement a methodology for determining the appropriate disciplinary action for a violation, and would require the policy to be made public. The bill would require DFPS to impose an administrative penalty without first imposing a nonmonetary sanction for violations that are determined to be high-risk. The bill would allow DFPS to issue a cease and desist order in certain situations.

DFPS indicates the provisions of the bill can be implemented within existing resources. It is assumed HHSC can implement the bill within existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family and Protective Services, Department of

LBB Staff: UP, NB, WP, SJ