

1 AN ACT

2 relating to the designation by the Department of Family and  
3 Protective Services of an individual to consent on behalf of the  
4 department to medical care for a child in foster care.

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

6 SECTION 1. Section 266.004(c), Family Code, as added by  
7 Chapter 268, Acts of the 79th Legislature, Regular Session, 2005,  
8 is amended to read as follows:

9 (c) If the person authorized by the court to consent to  
10 medical care is the department or an agent of the department, the  
11 department shall, not later than the fifth business day after the  
12 date the court provides authorization, file with the court and each  
13 party the name of the individual who will exercise the duty and  
14 responsibility of providing [~~informed~~] consent on behalf of the  
15 department. The department may designate the child's foster parent  
16 or the child's parent, if the parent's rights have not been  
17 terminated, to exercise the duty and responsibility of providing  
18 consent on behalf of the department under this subsection. If the  
19 [~~that~~] individual designated under this subsection changes, the  
20 department shall file notice of the change with the court and each  
21 party not later than the fifth business day after the date of the  
22 change.

23 SECTION 2. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as

H.B. No. 2580

1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2007.

David Dewhurst

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 2580 was passed by the House on May 8, 2007, by the following vote: Yeas 146, Nays 0, 2 present, not voting.

Robert Haney  
Chief Clerk of the House

I certify that H.B. No. 2580 was passed by the Senate on May 22, 2007, by the following vote: Yeas 31, Nays 0.

Daisy Jew  
Secretary of the Senate

APPROVED: 15 JUN 07

Date

RICK PERRY

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
5 PM O'CLOCK

JUN 15 2007  
Roger Williams  
Secretary of State