

1-1 By: Burkett, Naishtat (Senate Sponsor - Perry) H.B. No. 781
 1-2 (In the Senate - Received from the House April 20, 2015;
 1-3 April 30, 2015, read first time and referred to Committee on Health
 1-4 and Human Services; May 21, 2015, reported adversely, with
 1-5 favorable Committee Substitute by the following vote: Yeas 7,
 1-6 Nays 0; May 21, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17			X	

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 781 By: Uresti

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to caregiver screening and training by substitute care
 1-22 providers for children in the conservatorship of the Department of
 1-23 Family and Protective Services.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 40.058, Human Resources Code, is amended
 1-26 by adding Subsections (f), (g), and (h) to read as follows:

1-27 (f) A contract for residential child-care services provided
 1-28 by a general residential operation or by a child-placing agency
 1-29 must include provisions that:

1-30 (1) enable the department to monitor the effectiveness
 1-31 of the services;

1-32 (2) specify performance outcomes;

1-33 (3) authorize the department to terminate the contract
 1-34 or impose sanctions for a violation of a provision of the contract
 1-35 that specifies performance criteria;

1-36 (4) authorize the department, an agent of the
 1-37 department, and the state auditor to inspect all books, records,
 1-38 and files maintained by a contractor relating to the contract; and

1-39 (5) are necessary, as determined by the department, to
 1-40 ensure accountability for the delivery of services and for the
 1-41 expenditure of public funds.

1-42 (g) A contract with a private agency for the provision of
 1-43 substitute care or case management services for a child must
 1-44 include provisions that require the agency to provide access to the
 1-45 agency's information and records relating to the child to the
 1-46 child's attorney ad litem and guardian ad litem.

1-47 (h) In contracting with licensed child-placing agencies for
 1-48 residential child-care services, the department shall:

1-49 (1) determine and evaluate, using best practice
 1-50 standards, the home screening, assessment, and preservice training
 1-51 requirements used by substitute care providers before the
 1-52 verification and approval of caregivers, including:

1-53 (A) risk assessment evaluations used; and

1-54 (B) the curriculum and models used and topics
 1-55 covered in caregiver training; and

1-56 (2) publish on the department's Internet website the
 1-57 information collected by the department regarding the curriculum
 1-58 and training models used and topics covered during caregiver
 1-59 training by substitute care providers.

1-60 SECTION 2. Subchapter C, Chapter 42, Human Resources Code,

2-1 is amended by adding Section 42.0537 to read as follows:

2-2 Sec. 42.0537. CAREGIVER TRAINING REQUIREMENT. (a) The
2-3 department shall include a provision in each contract with a
2-4 child-placing agency with whom children in the managing
2-5 conservatorship of the department are placed that requires the
2-6 child-placing agency to provide at least 35 hours of
2-7 competency-based, preservice training to a potential caregiver
2-8 before the child-placing agency verifies or approves the caregiver
2-9 as a foster or adoptive home.

2-10 (b) The department shall adopt policies to ensure that each
2-11 potential caregiver receives at least 35 hours of competency-based,
2-12 preservice training before the department verifies or approves the
2-13 caregiver as a foster or adoptive home.

2-14 (c) The training required by this section does not apply to
2-15 an individual who has been designated as a kinship caregiver and who
2-16 is pursuing verification or licensure as a foster parent or
2-17 approval as an adoptive parent.

2-18 SECTION 3. The preservice training requirement under
2-19 Section 42.0537, Human Resources Code, as added by this Act, does
2-20 not apply to an individual who was verified or approved as a
2-21 caregiver by a substitute care provider before the effective date
2-22 of this Act or to an individual who is in the process of being
2-23 verified or approved as a caregiver by a substitute care provider on
2-24 the effective date of this Act.

2-25 SECTION 4. This Act takes effect September 1, 2015.

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