

1-1 By: Thompson of Harris (Senate Sponsor - Uresti) H.B. No. 2630  
1-2 (In the Senate - Received from the House April 27, 2015;  
1-3 May 4, 2015, read first time and referred to Committee on Health  
1-4 and Human Services; May 22, 2015, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 9,  
1-6 Nays 0; May 22, 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. 2630 By: Uresti

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

1-21 relating to certain programs provided to families of children at  
1-22 risk for abuse and neglect.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 264.201(d), Family Code, is amended to  
1-25 read as follows:

1-26 (d) The services may include in-home programs, parenting  
1-27 skills training, youth coping skills, and individual and family  
1-28 counseling. If the department requires or a court orders parenting  
1-29 skills training services through a parenting education program, the  
1-30 program must be an evidence-based or promising practice parenting  
1-31 education program described by Section 265.101 that is provided in  
1-32 the community in which the family resides, if available.

1-33 SECTION 2. Chapter 265, Family Code, is amended by  
1-34 designating Sections 265.001, 265.002, 265.003, and 265.004 as  
1-35 Subchapter A and adding a subchapter heading to read as follows:

1-36 SUBCHAPTER A. PREVENTION AND EARLY INTERVENTION SERVICES

1-37 SECTION 3. Section 265.004, Family Code, is amended by  
1-38 amending Subsection (a) and adding Subsections (a-1) and (a-2) to  
1-39 read as follows:

1-40 (a) To the extent that money is appropriated for the  
1-41 purpose, the department shall fund evidence-based programs,  
1-42 including parenting education, home visitation, family support  
1-43 services, mentoring, positive youth development programs, and  
1-44 crisis counseling, offered by community-based organizations that  
1-45 are designed to prevent or ameliorate child abuse and neglect. The  
1-46 [evidence-based] programs funded under this subsection may be  
1-47 offered by a child welfare board established under Section 264.005,  
1-48 a local governmental board granted the powers and duties of a child  
1-49 welfare board under state law, [or] a children's advocacy center  
1-50 established under Section 264.402, or other persons determined  
1-51 appropriate by the department.

1-52 (a-1) The department shall ensure that not less than 75  
1-53 percent of the money appropriated for parenting education programs  
1-54 under Subsection (a) funds evidence-based programs described by  
1-55 Section 265.101(b) and that the remainder of that money funds  
1-56 promising practice programs described by Section 265.101(c).

1-57 (a-2) The department shall actively seek and apply for any  
1-58 available federal funds to support parenting education programs  
1-59 provided under this section.

1-60 SECTION 4. Subchapter A, Chapter 265, Family Code, as added

2-1 by this Act, is amended by adding Section 265.005 to read as  
2-2 follows:

2-3 Sec. 265.005. STRATEGIC PLAN. (a) The department shall  
2-4 develop and implement a five-year strategic plan for prevention and  
2-5 early intervention services. Not later than September 1 of the last  
2-6 fiscal year in each five-year period, the department shall issue a  
2-7 new strategic plan for the next five fiscal years beginning with the  
2-8 following fiscal year.

2-9 (b) A strategic plan required under this section must:

2-10 (1) identify methods to leverage other sources of  
2-11 funding or provide support for existing community-based prevention  
2-12 efforts;

2-13 (2) include a needs assessment that identifies  
2-14 programs to best target the needs of the highest risk populations  
2-15 and geographic areas;

2-16 (3) identify the goals and priorities for the  
2-17 department's overall prevention efforts;

2-18 (4) report the results of previous prevention efforts  
2-19 using available information in the plan;

2-20 (5) identify additional methods of measuring program  
2-21 effectiveness and results or outcomes;

2-22 (6) identify methods to collaborate with other state  
2-23 agencies on prevention efforts; and

2-24 (7) identify specific strategies to implement the plan  
2-25 and to develop measures for reporting on the overall progress  
2-26 toward the plan's goals.

2-27 (c) The department shall coordinate with interested parties  
2-28 and communities in developing the strategic plan under this  
2-29 section.

2-30 (d) The department shall annually update the strategic plan  
2-31 developed under this section.

2-32 (e) The department shall post the strategic plan developed  
2-33 under this section and any update to the plan on its Internet  
2-34 website.

2-35 SECTION 5. Subchapter D, Chapter 40, Human Resources Code,  
2-36 as amended by S.B. 219, Acts of the 84th Legislature, Regular  
2-37 Session, 2015, is transferred to Chapter 265, Family Code,  
2-38 redesignated as Subchapter B, Chapter 265, Family Code, and amended  
2-39 to read as follows:

2-40 SUBCHAPTER B [~~D~~]. CHILD ABUSE AND NEGLECT PRIMARY PREVENTION  
2-41 PROGRAMS

2-42 Sec. 265.051 [~~40.101~~]. DEFINITIONS. In this subchapter:

2-43 (1) "Children's trust fund" means a child abuse and  
2-44 neglect primary prevention program.

2-45 (2) "Primary prevention" means services and  
2-46 activities available to the community at large or to families to  
2-47 prevent child abuse and neglect before it occurs. The term includes  
2-48 infant mortality prevention education programs.

2-49 (3) "Operating fund" means the Department of Family  
2-50 and Protective Services child abuse and neglect prevention  
2-51 operating fund account.

2-52 (4) "State agency" means a board, commission,  
2-53 department, office, or other state agency that:

2-54 (A) is in the executive branch of the state  
2-55 government;

2-56 (B) was created by the constitution or a statute  
2-57 of this state; and

2-58 (C) has statewide jurisdiction.

2-59 (5) "Trust fund" means the child abuse and neglect  
2-60 prevention trust fund account.

2-61 Sec. 265.052 [~~40.102~~]. CHILD ABUSE AND NEGLECT PRIMARY  
2-62 PREVENTION PROGRAMS. (a) The department shall operate the  
2-63 children's trust fund to:

2-64 (1) set policy, offer resources for community primary  
2-65 prevention programs, and provide information and education on  
2-66 prevention of child abuse and neglect;

2-67 (2) develop a state plan for expending funds for child  
2-68 abuse and neglect primary prevention programs that includes an  
2-69 annual schedule of transfers of trust fund money to the operating

3-1 fund;

3-2 (3) develop eligibility criteria for applicants  
3-3 requesting funding for child abuse and neglect primary prevention  
3-4 programs; and

3-5 (4) establish funding priorities for child abuse and  
3-6 neglect primary prevention programs.

3-7 (b) The children's trust fund shall accommodate the  
3-8 department's existing rules and policies in procuring, awarding,  
3-9 and monitoring contracts and grants.

3-10 (c) The department may:

3-11 (1) apply for and receive funds made available by the  
3-12 federal government or another public or private source for  
3-13 administering programs under this subchapter and for funding for  
3-14 child abuse and neglect primary prevention programs; and

3-15 (2) solicit donations for child abuse and neglect  
3-16 primary prevention programs.

3-17 Sec. 265.053 [~~40.104~~]. ADMINISTRATIVE AND OTHER COSTS.

3-18 (a) Administrative costs under this subchapter during any fiscal  
3-19 year may not exceed an amount equal to 50 percent of the interest  
3-20 credited to the trust fund during the preceding fiscal year.

3-21 (b) Funds expended under a special project grant from a  
3-22 governmental source or a nongovernmental source for public  
3-23 education or public awareness may not be counted as administrative  
3-24 costs for the purposes of this section.

3-25 Sec. 265.054 [~~40.105~~]. CHILD ABUSE AND NEGLECT PREVENTION  
3-26 TRUST FUND ACCOUNT. (a) The child abuse and neglect prevention  
3-27 trust fund account is an account in the general revenue fund. Money  
3-28 in the trust fund is dedicated to child abuse and neglect primary  
3-29 prevention programs.

3-30 (b) The department may transfer money contained in the trust  
3-31 fund to the operating fund at any time. However, during a fiscal  
3-32 year the department may not transfer more than the amount  
3-33 appropriated for the operating fund for that fiscal year. Money  
3-34 transferred to the operating fund that was originally deposited to  
3-35 the credit of the trust fund under Section 118.022, Local  
3-36 Government Code, may be used only for child abuse and neglect  
3-37 primary prevention programs.

3-38 (c) Interest earned on the trust fund shall be credited to  
3-39 the trust fund.

3-40 (d) The trust fund is exempt from the application of Section  
3-41 403.095, Government Code.

3-42 (e) All marriage license fees and other fees collected for  
3-43 and deposited in the trust fund and interest earned on the trust  
3-44 fund balance shall be appropriated each biennium only to the  
3-45 operating fund for [~~primary~~] child abuse and neglect primary  
3-46 prevention programs.

3-47 Sec. 265.055 [~~40.106~~]. DEPARTMENT OPERATING FUND ACCOUNT.

3-48 (a) The operating fund is an account in the general revenue fund.

3-49 (b) Administrative and other costs allowed in Section  
3-50 265.053 [~~40.104~~] shall be taken from the operating fund. The  
3-51 department may transfer funds contained in the operating fund to  
3-52 the trust fund at any time.

3-53 (c) The legislature may appropriate the money in the  
3-54 operating fund to carry out the provisions of this subchapter.

3-55 (d) The operating fund is exempt from the application of  
3-56 Section 403.095, Government Code.

3-57 Sec. 265.056 [~~40.107~~]. CONTRIBUTIONS. (a) The department  
3-58 may solicit contributions from any appropriate source.

3-59 (b) Any other contributions for child abuse and neglect  
3-60 primary prevention or other prevention and early intervention  
3-61 programs shall be deposited into a separate designated fund in the  
3-62 state treasury and shall be used for that designated purpose.

3-63 (c) A person may contribute funds to either the trust fund,  
3-64 the operating fund, or a fund designated by the department for a  
3-65 specific child abuse and neglect primary prevention or other  
3-66 prevention or early intervention purpose.

3-67 (d) If a person designates that a contribution is intended  
3-68 as a donation to a specific fund, the contribution shall be  
3-69 deposited in the designated fund.

4-1 SECTION 6. Section 40.0561, Human Resources Code, is  
4-2 transferred to Subchapter B, Chapter 265, Family Code, as  
4-3 transferred and redesignated from Subchapter D, Chapter 40, Human  
4-4 Resources Code, by this Act, and redesignated as Section 265.057,  
4-5 Family Code, to read as follows:

4-6 Sec. 265.057 [~~40.0561~~]. COMMUNITY YOUTH DEVELOPMENT  
4-7 GRANTS. (a) Subject to available funding, the department shall  
4-8 award community youth development grants to communities identified  
4-9 by incidence of crime. The department shall give priority in  
4-10 awarding grants under this section to areas of the state in which  
4-11 there is a high incidence of juvenile crime.

4-12 (b) The purpose of a grant under this section is to assist a  
4-13 community in alleviating conditions in the family and community  
4-14 that lead to juvenile crime.

4-15 SECTION 7. Chapter 265, Family Code, is amended by adding  
4-16 Subchapter C to read as follows:

4-17 SUBCHAPTER C. PARENTING EDUCATION

4-18 Sec. 265.101. PARENTING EDUCATION PROGRAMS. (a) A  
4-19 parenting education program provided by the department must be an  
4-20 evidence-based program or a promising practice program described by  
4-21 this section.

4-22 (b) An evidence-based program is a parenting education  
4-23 program that:

4-24 (1) is research-based and grounded in relevant,  
4-25 empirical knowledge and program-determined outcomes;

4-26 (2) has comprehensive standards ensuring the highest  
4-27 quality service delivery with continuous improvement in the quality  
4-28 of service delivery;

4-29 (3) has demonstrated significant positive short-term  
4-30 and long-term outcomes;

4-31 (4) has been evaluated by at least one rigorous,  
4-32 random, controlled research trial across heterogeneous populations  
4-33 or communities with research results that have been published in a  
4-34 peer-reviewed journal;

4-35 (5) substantially complies with a program manual or  
4-36 design that specifies the purpose, outcomes, duration, and  
4-37 frequency of the program services; and

4-38 (6) employs well-trained and competent staff and  
4-39 provides continual relevant professional development opportunities  
4-40 to the staff.

4-41 (c) A promising practice program is a parenting education  
4-42 program that:

4-43 (1) has an active impact evaluation program or  
4-44 demonstrates a schedule for implementing an active impact  
4-45 evaluation program;

4-46 (2) has been evaluated by at least one outcome-based  
4-47 study demonstrating effectiveness or random, controlled trial in a  
4-48 homogeneous sample;

4-49 (3) substantially complies with a program manual or  
4-50 design that specifies the purpose, outcomes, duration, and  
4-51 frequency of the program services;

4-52 (4) employs well-trained and competent staff and  
4-53 provides continual relevant professional development opportunities  
4-54 to the staff; and

4-55 (5) is research-based and grounded in relevant,  
4-56 empirical knowledge and program-determined outcomes.

4-57 Sec. 265.102. OUTCOMES OF EVIDENCE-BASED PARENTING  
4-58 EDUCATION. The department shall ensure that a parenting education  
4-59 program provided under this chapter achieves favorable behavioral  
4-60 outcomes in at least two of the following areas:

4-61 (1) improved cognitive development of children;

4-62 (2) increased school readiness of children;

4-63 (3) reduced child abuse, neglect, and injury;

4-64 (4) improved child safety;

4-65 (5) improved social-emotional development of  
4-66 children;

4-67 (6) improved parenting skills, including nurturing  
4-68 and bonding;

4-69 (7) improved family economic self-sufficiency;

5-1 (8) reduced parental involvement with the criminal  
5-2 justice system; and

5-3 (9) increased paternal involvement and support.

5-4 Sec. 265.103. EVALUATION OF EVIDENCE-BASED PARENTING  
5-5 EDUCATION. (a) The department shall adopt outcome indicators to  
5-6 measure the effectiveness of parenting education programs provided  
5-7 under this chapter in achieving desired outcomes.

5-8 (b) The department may work directly with the model  
5-9 developer of a parenting education program to identify appropriate  
5-10 outcome indicators for the program and to ensure that the program  
5-11 substantially complies with the model.

5-12 (c) The department shall develop internal processes to  
5-13 share information with parenting education programs to assist the  
5-14 department in analyzing the performance of the programs.

5-15 (d) The department shall use information obtained under  
5-16 this section to:

5-17 (1) monitor parenting education programs;

5-18 (2) continually improve the quality of the programs;

5-19 and

5-20 (3) evaluate the effectiveness of the programs.

5-21 Sec. 265.1035. INITIAL REPORT. (a) Not later than December  
5-22 1, 2016, the department shall prepare and submit a report on  
5-23 state-funded parenting education programs to the standing  
5-24 committees of the senate and house of representatives with  
5-25 jurisdiction over child protective services.

5-26 (b) The report submitted under this section must include:

5-27 (1) the status and a description of the parenting  
5-28 education programs implemented and a description of the models  
5-29 associated with the programs; and

5-30 (2) information on the number of families served by  
5-31 the programs, including their demographic information.

5-32 (c) This section expires January 1, 2017.

5-33 Sec. 265.104. REPORTS TO LEGISLATURE. (a) Not later than  
5-34 December 1 of each even-numbered year, the department shall prepare  
5-35 and submit a report on state-funded parenting education programs to  
5-36 the standing committees of the senate and house of representatives  
5-37 with jurisdiction over child protective services.

5-38 (b) A report submitted under this section must include:

5-39 (1) a description of the parenting education programs  
5-40 implemented and of the models associated with the programs;

5-41 (2) information on the families served by the  
5-42 programs, including the number of families served and their  
5-43 demographic information;

5-44 (3) the goals and achieved outcomes of the programs;

5-45 (4) information on the cost for each family served,  
5-46 including any available third-party return-on-investment analysis;  
5-47 and

5-48 (5) information explaining the percentage of money  
5-49 spent on evidence-based programs and on promising practice  
5-50 programs.

5-51 Sec. 265.105. RULES. The executive commissioner of the  
5-52 Health and Human Services Commission may adopt rules as necessary  
5-53 to implement this subchapter.

5-54 SECTION 8. Section 40.0523, Human Resources Code, as  
5-55 amended by S.B. 219, Acts of the 84th Legislature, Regular Session,  
5-56 2015, is repealed.

5-57 SECTION 9. The changes in law made by this Act apply only to  
5-58 a program provided under Chapter 265, Family Code, on or after the  
5-59 effective date of this Act.

5-60 SECTION 10. Not later than September 1, 2016, the  
5-61 Department of Family and Protective Services shall adopt the  
5-62 initial strategic plan required by Section 265.005, Family Code, as  
5-63 added by this Act.

5-64 SECTION 11. This Act takes effect September 1, 2015.

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