

House Bill 2630
Senate Amendments
Section-by-Section Analysis

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

(d) The services may include in-home programs, parenting skills training, youth coping skills, and individual and family counseling. If the department requires or a court orders parenting skills training services through a parenting education program, the program must be an evidence-based or promising practice parenting education program described by Section 265.051 that is provided in the community in which the family resides, if available.

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

SUBCHAPTER A. GENERAL PROVISIONS

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

(a) To the extent that money is appropriated for the purpose, the department shall fund evidence-based programs, including parenting education, home visitation, family support services, mentoring, positive youth development programs, and crisis counseling, offered by community-based organizations that are designed to prevent or ameliorate child abuse and neglect. The [~~evidence-based~~] programs funded under this subsection may be offered by a child welfare board established under Section 264.005, a local governmental board granted the

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

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

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

SUBCHAPTER A. PREVENTION AND EARLY INTERVENTION SERVICES

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

(a) To the extent that money is appropriated for the purpose, the department shall fund evidence-based programs, including parenting education, home visitation, family support services, mentoring, positive youth development programs, and crisis counseling, offered by community-based organizations that are designed to prevent or ameliorate child abuse and neglect. The [~~evidence-based~~] programs funded under this subsection may be offered by a child welfare board established under Section 264.005, a local governmental board granted the

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powers and duties of a child welfare board under state law, [ø] a children's advocacy center established under Section 264.402, or other persons determined appropriate by the department.

(a-1) The department shall ensure that not less than 75 percent of the money appropriated for parenting education programs under Subsection (a) funds evidence-based programs described by Section 265.051(b) and that the remainder of that money funds promising practice programs described by Section 265.051(c).

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

No equivalent provision.

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powers and duties of a child welfare board under state law, [ø] a children's advocacy center established under Section 264.402, or other persons determined appropriate by the department.

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

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

SECTION 4. Subchapter A, Chapter 265, Family Code, as added by this Act, is amended by adding Section 265.005 to read as follows:

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

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

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

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

(3) identify the goals and priorities for the department's

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overall prevention efforts;

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

(5) identify additional methods of measuring program effectiveness and results or outcomes;

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

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

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

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

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

No equivalent provision.

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

SUBCHAPTER B [D]. CHILD ABUSE AND NEGLECT PRIMARY PREVENTION PROGRAMS

Sec. 265.051 [40.404]. DEFINITIONS. In this subchapter:

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

(2) "Primary prevention" means services and activities available to the community at large or to families to prevent

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child abuse and neglect before it occurs. The term includes infant mortality prevention education programs.

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

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

(A) is in the executive branch of the state government;

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

(C) has statewide jurisdiction.

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

Sec. ~~265.052~~ [40-102]. CHILD ABUSE AND NEGLECT PRIMARY PREVENTION PROGRAMS. (a) The department shall operate the children's trust fund to:

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

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

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

(4) establish funding priorities for child abuse and neglect primary prevention programs.

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

(c) The department may:

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(1) apply for and receive funds made available by the federal government or another public or private source for administering programs under this subchapter and for funding for child abuse and neglect primary prevention programs; and
(2) solicit donations for child abuse and neglect primary prevention programs.

Sec. 265.053 [~~40.104~~]. ADMINISTRATIVE AND OTHER COSTS. (a) Administrative costs under this subchapter during any fiscal year may not exceed an amount equal to 50 percent of the interest credited to the trust fund during the preceding fiscal year.

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

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

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

(c) Interest earned on the trust fund shall be credited to the trust fund.

(d) The trust fund is exempt from the application of Section

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403.095, Government Code.

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

Sec. 265.055 ~~[40.106]~~. DEPARTMENT OPERATING FUND ACCOUNT. (a) The operating fund is an account in the general revenue fund.

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

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

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

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

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

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

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

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No equivalent provision.

SECTION 4. Chapter 265, Family Code, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. PARENTING EDUCATION

Sec. 265.051. PARENTING EDUCATION PROGRAMS.

(a) A parenting education program provided by the department or ordered by a court under Chapter 264 or this chapter must be an evidence-based program or a promising practice program described by this section.

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

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

(2) has comprehensive standards ensuring the highest quality

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

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

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

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

SUBCHAPTER C. PARENTING EDUCATION

Sec. 265.101. PARENTING EDUCATION PROGRAMS.

(a) A parenting education program provided by the department must be an evidence-based program or a promising practice program described by this section.

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

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

(2) has comprehensive standards ensuring the highest quality service delivery with continuous improvement in the quality

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service delivery with continuous improvement in the quality of service delivery;

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

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

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

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

(c) A promising practice program is a parenting education program that:

(1) has an active impact evaluation program or demonstrates a schedule for implementing an active impact evaluation program;

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

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

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

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

Sec. 265.052. OUTCOMES OF EVIDENCE-BASED

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of service delivery;

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

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

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

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

(c) A promising practice program is a parenting education program that:

(1) has an active impact evaluation program or demonstrates a schedule for implementing an active impact evaluation program;

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

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

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

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

Sec. 265.102. OUTCOMES OF EVIDENCE-BASED

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PARENTING EDUCATION. The department shall ensure that a parenting education program provided under Chapter 264 or this chapter achieves favorable behavioral outcomes in at least two of the following areas:

- (1) improved cognitive development of children;
- (2) increased school readiness of children;
- (3) reduced child abuse, neglect, and injury;
- (4) improved child safety;
- (5) improved social-emotional development of children;
- (6) improved parenting skills, including nurturing and bonding;
- (7) improved family economic self-sufficiency;
- (8) reduced parental involvement with the criminal justice system; and
- (9) increased paternal involvement and support.

Sec. 265.053. EVALUATION OF EVIDENCE-BASED PARENTING EDUCATION. (a) The department shall adopt outcome indicators to measure the effectiveness of parenting education programs provided under Chapter 264 or this chapter in achieving desired outcomes.

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

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

(d) The department shall use information obtained under this section to:

- (1) monitor parenting education programs;
- (2) continually improve the quality of the programs; and

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PARENTING EDUCATION. The department shall ensure that a parenting education program provided under this chapter achieves favorable behavioral outcomes in at least two of the following areas:

- (1) improved cognitive development of children;
- (2) increased school readiness of children;
- (3) reduced child abuse, neglect, and injury;
- (4) improved child safety;
- (5) improved social-emotional development of children;
- (6) improved parenting skills, including nurturing and bonding;
- (7) improved family economic self-sufficiency;
- (8) reduced parental involvement with the criminal justice system; and
- (9) increased paternal involvement and support.

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

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

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

(d) The department shall use information obtained under this section to:

- (1) monitor parenting education programs;
- (2) continually improve the quality of the programs; and

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(3) evaluate the effectiveness of the programs.

Sec. 265.0535. INITIAL REPORT. (a) Not later than December 1, 2016, the department shall prepare and submit a report on state-funded parenting education programs to the standing committees of the senate and house of representatives with jurisdiction over child protective services.

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

(1) the status and a description of the parenting education programs implemented and a description of the models associated with the programs; and

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

(c) This section expires January 1, 2017.

Sec. 265.054. REPORTS TO LEGISLATURE. (a) Not later than December 1 of each even-numbered year, the department shall prepare and submit a report on state-funded parenting education programs to the standing committees of the senate and house of representatives with jurisdiction over child protective services.

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

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

(2) information on the families served by the programs, including the number of families served and their demographic information;

(3) the goals and achieved outcomes of the programs;

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

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

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(3) evaluate the effectiveness of the programs.

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

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

(1) the status and a description of the parenting education programs implemented and a description of the models associated with the programs; and

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

(c) This section expires January 1, 2017.

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

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

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

(2) information on the families served by the programs, including the number of families served and their demographic information;

(3) the goals and achieved outcomes of the programs;

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

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

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programs.

Sec. 265.055. RULES. The executive commissioner of the Health and Human Services Commission may adopt rules as necessary to implement this subchapter.

No equivalent provision.

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

No equivalent provision.

SECTION 6. This Act takes effect September 1, 2015.

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programs.

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

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

SECTION 9. Same as House version.

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

SECTION 11. Same as House version.

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