

1-1 By: Frank, Swanson (Senate Sponsor - Hughes) H.B. No. 2764
 1-2 (In the Senate - Received from the House May 6, 2019;
 1-3 May 7, 2019, read first time and referred to Committee on Health &
 1-4 Human Services; May 20, 2019, reported favorably by the following
 1-5 vote: Yeas 9, Nays 0; May 20, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
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 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to minimum standards and caregiver training for substitute
 1-20 care providers for children in the conservatorship of the
 1-21 Department of Family and Protective Services.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 42.042, Human Resources Code, is amended
 1-24 by adding Subsections (b-1) and (t) to read as follows:

1-25 (b-1) Not later than the earlier of December 31, 2020, or
 1-26 the date the commission conducts the next review required by
 1-27 Subsection (b), the commission shall create and implement a process
 1-28 to simplify, streamline, and provide for greater flexibility in the
 1-29 application of the minimum standards to licensed child-placing
 1-30 agencies, agency foster homes, and adoptive homes with the goal of
 1-31 increasing the number of foster and adoptive homes in this state.
 1-32 This subsection expires September 1, 2021.

1-33 (t) The commission by rule shall grant to each child-placing
 1-34 agency and each single source continuum contractor the authority to
 1-35 waive certain minimum standards related to preservice training,
 1-36 annual training, or other requirements that are not directly
 1-37 related to caring for the child for:

- 1-38 (1) the child's foster or prospective adoptive parent;
- 1-39 or
- 1-40 (2) foster homes that have no citations or violations
 1-41 reported to the commission.

1-42 SECTION 2. Section 42.0537, Human Resources Code, is
 1-43 amended by amending Subsections (a) and (b) and adding Subsections
 1-44 (d), (e), and (f) to read as follows:

1-45 (a) The department and each single source continuum
 1-46 contractor shall include a provision in each contract with a
 1-47 child-placing agency with whom children in the managing
 1-48 conservatorship of the department are placed that requires the
 1-49 child-placing agency to provide [at least 35 hours of]
 1-50 competency-based, preservice training to a potential caregiver
 1-51 before the child-placing agency verifies or approves the caregiver
 1-52 as a foster or adoptive home. Except as provided by Subsection (d),
 1-53 the amount of training required by this subsection may not exceed 35
 1-54 hours.

1-55 (b) The department shall adopt policies to ensure that each
 1-56 potential caregiver receives [at least 35 hours of]
 1-57 competency-based, preservice training before the department
 1-58 verifies or approves the caregiver as a foster or adoptive home.
 1-59 Except as provided by Subsection (d), the amount of training
 1-60 required by this subsection may not exceed 35 hours.

1-61 (d) The department and each single source continuum

2-1 contractor providing foster care placement or case management
2-2 services may include in each contract with a child-placing agency
2-3 with whom children in the managing conservatorship of the
2-4 department are placed provisions that:

2-5 (1) require the child-placing agency to, before
2-6 verifying or approving a prospective caregiver as a foster or
2-7 adoptive home, provide to the prospective caregiver
2-8 competency-based, preservice training in addition to other
2-9 training required under this section, based on the needs of the
2-10 child being placed, including training regarding:

2-11 (A) the treatment of:
2-12 (i) children with complex medical needs;
2-13 (ii) children with emotional disorders;
2-14 (iii) children with intellectual or
2-15 developmental disabilities; and

2-16 (iv) victims of human trafficking; and
2-17 (B) any other situation the department
2-18 determines would require additional training; and

2-19 (2) allow the child-placing agency to provide
2-20 training, in addition to other training required under this section
2-21 for a prospective caregiver, that:

2-22 (A) meets the eligibility standards for federal
2-23 financial participation under the requirements of the federal
2-24 Family First Prevention Services Act (Title VII, Div. E, Pub. L.
2-25 No. 115-123);

2-26 (B) meets the standards set by a nationally
2-27 recognized accrediting organization; or

2-28 (C) meets the standards described by Paragraphs
2-29 (A) and (B).

2-30 (e) The department may require training in addition to other
2-31 training required under this section described by Subsection
2-32 (d)(2), as appropriate, for certified child-placing agencies
2-33 operated by the department.

2-34 (f) A child-placing agency may issue a provisional
2-35 verification as provided by Section 42.053(e) to a prospective
2-36 foster caregiver while the caregiver completes the training
2-37 required under Subsection (d).

2-38 SECTION 3. The changes in law made by this Act apply only to
2-39 a contract for foster care services entered into or renewed on or
2-40 after the effective date of this Act.

2-41 SECTION 4. This Act takes effect September 1, 2019.

2-42 * * * * *