

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/24/19

Date

Honorable Dan Patrick
President of the Senate

Honorable Dennis Bonnen
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 355 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Royce West

SEN. WEST

Stephanie Klick

REP. KLICK

Matthew Johnson

SEN. JOHNSON

Jim Frank

REP. FRANK

Liz Kolchhorst

SEN. KOLCHHORST

Linda Hinojosa

REP. HINOJOSA

Chad Perry

SEN. PERRY

Sheela Minjarez

REP. MINJAREZ

Kel Seliger

On the part of the Senate

SEN. SELIGER

Candy Noble

On the part of the House

REP. NOBLE

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

S.B. No. 355

A BILL TO BE ENTITLED

1 AN ACT

2 relating to developing a strategic plan regarding implementation of
3 prevention and early intervention services and community-based
4 care and conducting a study regarding the resources provided to
5 foster parents.

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

7 SECTION 1. Subchapter C, Chapter 40, Human Resources Code,
8 is amended by adding Section 40.079 to read as follows:

9 Sec. 40.079. STRATEGIC STATE PLAN TO IMPLEMENT
10 COMMUNITY-BASED CARE AND FOSTER CARE PREVENTION SERVICES. (a) The
11 department shall develop a strategic plan for the coordinated
12 implementation of:

13 (1) community-based care as defined by Section
14 264.152, Family Code; and

15 (2) foster care prevention services that meet the
16 requirements of Title VII, Div. E, Pub. L. No. 115-123.

17 (b) The strategic plan required under this section must:

18 (1) identify a network of services providers to
19 provide mental health, substance use, and in-home parenting support
20 services for:

21 (A) children at risk of entering foster care;

22 (B) the parents and caregivers of children
23 identified under Paragraph (A); and

24 (C) pregnant or parenting youth in foster care;

1 (2) identify methods for the statewide implementation
2 of foster care prevention services, including implementation in
3 department regions that are transitioning to community-based care;

4 (3) identify resources necessary for the department to
5 implement community-based care and to coordinate that
6 implementation with the implementation of foster care prevention
7 services, including:

8 (A) enhanced training related to procurement,
9 contract monitoring and enforcement services, information
10 technology services, and financial and legal services;

11 (B) a financial methodology for funding the
12 implementation of community-based care and foster care prevention
13 services; and

14 (C) resources to address the placement of
15 children in settings eligible for federal financial participation
16 under the requirements of Title VII, Div. E, Pub. L. No. 115-123;

17 (4) identify methods to:

18 (A) maximize resources from the federal
19 government under Title VII, Div. E, Pub. L. No. 115-123;

20 (B) apply for other available federal and private
21 funds;

22 (C) streamline and reduce duplication of effort
23 by each state agency involved in providing services described by
24 Subdivision (1);

25 (D) streamline the procedures for determining
26 eligibility for services described by Subdivision (1);

27 (E) prescribe and terminate services described

1 by Subdivision (1); and

2 (F) reduce recidivism in foster care prevention
3 services;

4 (5) include a method to:

5 (A) notify the Senate Health and Human Services
6 Committee, the Senate Finance Committee, the House Committee on
7 Human Services, the House Committee on Public Health, and the House
8 Appropriations Committee of federal and private funding
9 opportunities; and

10 (B) respond to the opportunities described by
11 Paragraph (A); and

12 (6) identify opportunities to coordinate with
13 independent researchers to assist community programs in evaluating
14 and developing trauma-informed services and promising, supported,
15 or well-supported services and strategies under Title VII, Div. E,
16 Pub. L. No. 115-123.

17 (c) In identifying the network of providers described by
18 Subsection (b)(1), the department shall consult with the Health and
19 Human Services Commission, the Department of State Health Services,
20 and community stakeholders.

21 (d) This section does not supersede or limit the
22 department's duty to develop and maintain the plan under Section
23 264.153, Family Code.

24 (e) The department shall submit the plan developed under
25 this section to the governor, the lieutenant governor, the speaker
26 of the house of representatives, and each member of the standing
27 committees of the senate and house of representatives having

1 primary jurisdiction over child welfare issues not later than
2 September 1, 2020.

3 (f) This section expires September 1, 2021.

4 SECTION 2. (a) The Department of Family and Protective
5 Services shall conduct a study to evaluate whether the department
6 provides foster parents with adequate resources to ensure that
7 foster parents are able to comply with all of the regulations
8 relating to providing care for a child in the conservatorship of the
9 department.

10 (b) Not later than September 1, 2020, the department shall
11 prepare and submit to the legislature a written report containing
12 the results of the study and any recommendations for legislative or
13 other action.

14 (c) This section expires September 1, 2021.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2019.

Senate Bill 355
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

SECTION 1. Subchapter C, Chapter 40, Human Resources Code, is amended by adding Section 40.079 to read as follows:

Sec. 40.079. STRATEGIC PLAN TO IMPLEMENT FEDERAL LAW REGARDING FOSTER CARE PREVENTION SERVICES. (a) The department shall develop a strategic plan for the implementation of

foster care prevention services that meet the requirements of Title VII, Div. E, Pub. L. No. 115-123.

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

(1) identify a network of services providers to provide mental health, substance use, and in-home parenting support services for:

(A) children at risk of entering foster care;

(B) the parents and caregivers of children identified under Paragraph (A); and

(C) pregnant or parenting youth in foster care;

HOUSE VERSION (IE)

SECTION 1. Subchapter C, Chapter 40, Human Resources Code, is amended by adding Section 40.079 to read as follows:

Sec. 40.079. STRATEGIC STATE PLAN TO IMPLEMENT COMMUNITY-BASED CARE AND FOSTER CARE PREVENTION SERVICES. (a) The department shall develop a strategic plan for the *coordinated* implementation of:

(1) *community-based care as defined by Section 264.152, Family Code; and*

(2) *foster care prevention services that meet the requirements of Title VII, Div. E, Pub. L. No. 115-123.*

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

(1) identify a network of services providers to provide mental health, substance use, and in-home parenting support services for:

(A) children at risk of entering foster care;

(B) the parents and caregivers of children identified under Paragraph (A); and

(C) pregnant or parenting youth in foster care;

(2) *identify methods for the statewide implementation of foster care prevention services, including implementation in department regions that are transitioning to community-based care;*

(3) *identify resources necessary for the department to implement community-based care and to coordinate that implementation with the implementation of foster care prevention services, including:*

(A) *enhanced training related to procurement, contract monitoring and enforcement services, information technology services, and financial and legal services;*

CONFERENCE

SECTION 1. Same as House version except changes the deadline for the submission of the plan to not later than September 1, 2020, and changes the date the section expires to September 1, 2021.

Senate Bill 355
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

- (2) identify methods to:
- (A) maximize resources from the federal government under Title VII, Div. E, Pub. L. No. 115-123;
 - (B) apply for other available federal and private funds;
 - (C) streamline and reduce duplication of effort by each state agency involved in providing services described by Subdivision (1); and
 - (D) streamline the procedures for determining eligibility for services described by Subdivision (1);

- (3) include a method to:
- (A) notify the Senate Health and Human Services Committee, the Senate Finance Committee, the House Committee on Human Services, the House Committee on Public Health, and the House Appropriations Committee of federal and private funding opportunities; and
 - (B) respond to the opportunities described by Paragraph (A); and
 - (4) identify opportunities to coordinate with independent researchers to assist community programs in evaluating and developing trauma-informed services and promising, supported, or well-supported services and strategies under Title VII, Div. E, Pub. L. No. 115-123.

HOUSE VERSION (IE)

- (B) a financial methodology for funding the implementation of community-based care and foster care prevention services; and**
- (C) resources to address the placement of children in settings eligible for federal financial participation under the requirements of Title VII, Div. E, Pub. L. No. 115-123;**
- (4) identify methods to:
- (A) maximize resources from the federal government under Title VII, Div. E, Pub. L. No. 115-123;
 - (B) apply for other available federal and private funds;
 - (C) streamline and reduce duplication of effort by each state agency involved in providing services described by Subdivision (1);
 - (D) streamline the procedures for determining eligibility for services described by Subdivision (1);
 - (E) prescribe and terminate services described by Subdivision (1); and**
 - (F) reduce recidivism in foster care prevention services;**
- (5) include a method to:
- (A) notify the Senate Health and Human Services Committee, the Senate Finance Committee, the House Committee on Human Services, the House Committee on Public Health, and the House Appropriations Committee of federal and private funding opportunities; and
 - (B) respond to the opportunities described by Paragraph (A); and
 - (6) identify opportunities to coordinate with independent researchers to assist community programs in evaluating and developing trauma-informed services and promising, supported, or well-supported services and strategies under Title VII, Div. E, Pub. L. No. 115-123.

CONFERENCE

Senate Bill 355
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

(c) In identifying the network of providers described by Subsection (b)(1), the department shall consult with the Health and Human Services Commission, the Department of State Health Services, and community stakeholders.

(d) In developing the procedure described by Subsection (b)(2), the department shall consult with the Health and Human Services Commission and the Department of State Health Services.

See SECTION 2 below.

(e) This section expires March 1, 2021.

SECTION 2. Not later than September 1, 2020, the Department of Family and Protective Services shall make the plan required by Section 40.079, Human Resources Code, as added by this Act, available to the Senate Health and Human Services Committee, the Senate Finance Committee, the House Committee on Human Services, the House Committee on Public Health, and the House Appropriations Committee.

HOUSE VERSION (IE)

(c) In identifying the network of providers described by Subsection (b)(1), the department shall consult with the Health and Human Services Commission, the Department of State Health Services, and community stakeholders.

(d) This section does not supersede or limit the department's duty to develop and maintain the plan under Section 264.153, Family Code.

(e) The department shall submit the plan developed under this section to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the standing committees of the senate and house of representatives having primary jurisdiction over child welfare issues not later than December 30, 2019.

(f) This section expires March 1, 2020.

No equivalent provision. (But see Sec. 40.079(e), Human Resources Code, above.)

CONFERENCE

Same as House version.

Senate Bill 355
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

No equivalent provision.

SECTION 3. This Act takes effect September 1, 2019.

HOUSE VERSION (IE)

SECTION __. (a) The Department of Family and Protective Services shall conduct a study to evaluate whether the department provides foster parents with adequate resources to ensure that foster parents are able to comply with all of the regulations relating to providing care for a child in the conservatorship of the department.
(b) Not later than September 1, 2020, the department shall prepare and submit to the legislature a written report containing the results of the study and any recommendations for legislative or other action.
(c) This section expires September 1, 2021. [FA1]

SECTION 2. *This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.*

CONFERENCE

SECTION 2. Same as House version.

SECTION 3. Same as House version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 24, 2019

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: SB355 by West (Relating to developing a strategic plan regarding implementation of prevention and early intervention services and community-based care and conducting a study regarding the resources provided to foster parents.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 40 of the Human Resources Code to require the Department of Family and Protective Services (DFPS) to develop a strategic plan no later than September 1, 2020 for the coordinated implementation of community-based care as well as foster care prevention services that meet the requirements of Title VII, Div. E, Pub. L. No. 115-123. The bill would require DFPS to consult with the Health and Human Services Commission, the Department of State Health Services, and community stakeholders to identify the network of services providers required in the plan.

The bill would require DFPS to conduct a study to evaluate whether DFPS provides foster parents with adequate resources to ensure compliance with relevant regulations by September 1, 2020.

It is assumed that the provisions of the bill could be implemented using existing resources.

The bill would take effect immediately upon receiving a two-thirds majority vote in each house. Otherwise, the bill would take effect September 1, 2019.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family and Protective Services, Department of, 529 Health and Human Services Commission, 537 State Health Services, Department of

LBB Staff: WP, AKi, JQ, ND