

BILL ANALYSIS

Senate Research Center
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S.B. 907
By: Birdwell
Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Building high quality foster care capacity that best meets the needs of children in foster care remains a high priority. Child Protective Services (CPS) has seen an increase in the number of children without placement. The result of this capacity issue is that CPS must enter into expensive child-specific contracts with providers that are not the best setting for children's needs.

While traditional foster homes are clearly the "best option" for certain children, General Residential Operations (GROs) are also a vital part of the continuum of care for children in Texas by providing:

- A safe environment.
- Multiple "eyes" on the child.
- Caring adults in a local community, participating in the care of children needing shelter, education, and resources in order to be successful community members.

Licensed GROs operating in a live-in cottage parent model include care that is reinforced by a myriad of support services not available in a typical foster family setting. Children have the privilege of routine interaction with case managers, therapists, recreation staff, and other crucial support staff. Because of the numbers of people involved in the life of a child, it serves as a check-and-balance system to protect the child's safety and well-being. Houseparent couples devote their full-time attention to the needs of children in care, such as a large sibling group.

S.B. 907 defines "least restrictive environment" in statute and ensures that the Department of Family and Protective Services recognizes that licensed GROs operating as a cottage home may serve, like a foster home, as a foster placement option for children in need of basic or moderate services when that placement: (1) is closest to the child's home, and (2) is the most able to meet the identified needs of the child.

As proposed, S.B. 907 amends current law relating to the definition of the least restrictive environment for the placement of children in foster care.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 263.001(a), Family Code, by amending Subdivision (3-a) and adding Subdivision (3-b), as follows:

(3-a) Defines "least restrictive environment" as a placement for a child that, in comparison to all other available placements is the closest in geographic proximity to the child's home and is the most able to meet the identified needs of the child.

(3-b) Creates this subdivision from existing text and makes no further changes to this subsection.

SECTION 2. Amends Section 263.001, Family Code, by adding Subsection (c), to provide that, with respect to a child designated by the Department of Family and Protective Services (DFPS) as a child who needs basic or moderate services, the least restrictive environment requires placement in a foster home or a general residential operation (GRO) operating as a cottage home.

SECTION 3. Amends Section 264.001, Family Code, by adding Subdivision (3-a), to define “least restrictive environment.”

SECTION 4. Amends Section 264.107, Family Code, by adding Subsection (c), as follows:

(c) Requires DFPS to place a child designated by DFPS as a child who needs basic or moderate services in the least restrictive environment necessary to meet the child’s needs. Provides that placement of a child in the least restrictive environment requires placement in a foster home or a GRO operating as a cottage home.

SECTION 5. Effective date: September 1, 2017.