

BILL ANALYSIS

Senate Research Center

S.B. 910
By: Schwertner
Health & Human Services
6/7/2021
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Last session, Senator West passed S.B. 355, requiring the Department of Family and Protective Services (DFPS) to create a strategic plan to guide Texas on implementation of the federal Family First Prevention Services Act (FFPSA). DFPS released the plan in September 2020, outlining options for the legislature to choose from this session. In order to prepare the state to implement federal legislation, there is groundwork to be done. Option 2C of DFPS's strategic plan is a fiscally responsible way to start this process. This option requires DFPS to study the coordination of family-based safety services (FBSS) in community-based care (CBC), including FFPSA prevention services. This study would involve experts in the field as well as the work that has already been done to inform the state on how to conduct a seamless transition of both FBSS services and FFPSA prevention services into a proven model that functions well.

S.B. 910 would require DFPS to implement option 2C of their strategic plan and conduct a study on how to best move forward with state programs and comply with federal legislation at a low cost.

(Original Author's / Sponsor's Statement of Intent)

S.B. 910 amends current law relating to a study of options for implementing family preservation services, the provision of certain other health and human services by certain state agency contractors, and the repeal of a prior pilot program for family-based safety services.

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 Subchapter B-1, Chapter 264, Family Code, by adding Section 264.1691, as follows:

Sec. 264.1691. STUDY OF OPTIONS FOR IMPLEMENTING FAMILY PRESERVATION SERVICES. (a) Defines "family preservation service."

(b) Requires the Department of Family and Protective Services (DFPS) to study and develop a comprehensive list of options for implementing family preservation services in existing catchment areas, including contracting with single source continuum contractors to provide services and procuring service providers through a competitive bidding process.

(c) Requires DFPS, in developing the options under Subsection (b), to:

(1) examine existing DFPS functions related to the stage of service DFPS describes as family-based safety services, including assessments of child safety and child removals, and make recommendations for incorporating the functions into a contracted model;

(2) consider the results from community needs assessments and capacity development plans conducted during the preceding 10 years; and

(3) consider certain other aspects regarding funding, implementation, and operation of community-based family preservation services.

(d) Requires DFPS, in developing implementation options under this section, to:

(1) incorporate relevant information obtained from previous efforts and similar service models implemented in other states;

(2) collaborate with the Health and Human Services Commission (HHSC) as needed, including on recommendations for the provision of behavioral health and substance use services and on appropriate rate methodology; and

(3) allow interested persons to comment on the provision of behavioral health and substance use services.

(e) Authorizes DFPS to enter into any contract DFPS determines necessary to comply with this section.

(f) Provides that this section expires August 31, 2023.

SECTION 2. Repealer: Section 264.169 (Pilot Program for Family-Based Safety Services), Family Code.

Repealer: Section 40.0581(f) (relating to the exemption of certain post-adoption support services providers from the performance measures required by HHSC and DFPS), Human Resources Code.

SECTION 3. Requires DFPS, not later than October 1, 2022, to submit copies of the options described by Section 264.1691, Family Code, as added by this Act, along with any associated recommendations, to the governor, the lieutenant governor, the speaker of the Texas House of Representatives, the House Committee on Appropriations, the Senate Committee on Finance, the House Committee on Human Services, and the Senate Committee on Health and Human Services.

SECTION 4. Requires DFPS to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. Provides that, if the legislature does not appropriate money specifically for that purpose, DFPS is authorized, but is not required, to implement this Act using other appropriations available for that purpose.

SECTION 5. Effective date: upon passage or September 1, 2021.