

## **BILL ANALYSIS**

Senate Research Center

S.B. 910  
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Health & Human Services  
4/1/2021  
As Filed

### **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.

As proposed, S.B. 910 amends current law relating to implementation options for the provision of community-based family preservation services and certain other health and human services by certain state agencies or contractors and to 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. COMMUNITY-BASED FAMILY PRESERVATION SERVICES. (a) Defines "community-based family preservation services" and "family preservation services."

(b) Requires the Department of Family and Protective Services (DFPS) to develop a comprehensive list of options for how to implement coordinated community-based family preservation services through contract with current single-source continuum contractors in existing catchment areas, and through competitive procurement for contractors in existing catchment areas.

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

(1) compare existing DFPS functions related to family preservation, including assessments of child safety and child removals, and examine how these functions would be completed in a contracted model;

(2) consider the results from previous community needs assessments and capacity development plans conducted within the last 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 incorporate relevant information already developed through prior efforts. Requires DFPS to also consider similar service models in other states.

(e) Requires DFPS, in developing implementation options under this section, to 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.

(f) Requires DFPS, in developing implementation options under this section, to allow for stakeholder input on the provision of behavioral health and substance use services.

(g) Authorizes DFPS to contract for any or all of the requirements of this section.

(h) 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. Effective date: upon passage or September 1, 2021.