

By: Watson

S.B. No. 867

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of certain child-care facilities and homes.

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

SECTION 1. Section 42.0421, Human Resources Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) The commission shall inform licensed and registered child-care facilities about how to use the annual minimum training required by this section to satisfy the training requirements to earn the Child Development Associate (CDA) credential.

SECTION 2. Subchapter C, Chapter 42, Human Resources Code, is amended by adding Section 42.04211 to read as follows:

Sec. 42.04211. PRESERVICE TRAINING FOR LISTED FAMILY HOMES.

(a) The executive commissioner by rule shall require the caretaker of a listed family home to complete preservice training on:

(1) the developmental stages of children;

(2) age-appropriate activities for children;

(3) positive guidance and discipline of children;

(4) the fostering of children's self-esteem;

(5) supervision and safety practices in caring for children;

(6) positive interactions with children; and

(7) preventing and controlling the spread of communicable disease, as defined by Section 81.003, Health and

1 Safety Code, including immunization.

2 (b) The executive commissioner by rule shall require the  
3 caretaker of a listed family home who provides care for a child  
4 younger than 24 months of age to complete one hour of preservice  
5 training on:

6 (1) recognizing and preventing shaken baby syndrome;

7 (2) understanding and using safe sleeping practices;

8 (3) preventing sudden infant death syndrome; and

9 (4) understanding early childhood brain development.

10 (c) The caretaker of a family home shall complete the  
11 preservice training before the department may list the caretaker's  
12 home.

13 SECTION 3. Subchapter C, Chapter 42, Human Resources Code,  
14 is amended by adding Section 42.04413 to read as follows:

15 Sec. 42.04413. LISTED FAMILY HOME SITE VISITS. Before the  
16 department may list a caretaker's home, the department shall  
17 conduct a site visit of the home to ensure that the home does not  
18 have a health or safety hazard on the property. If the caretaker of  
19 a listed family home moves, the department shall conduct a site  
20 visit of the caretaker's new home not later than the 30th day after  
21 the date the caretaker begins providing child-care services in the  
22 new home.

23 SECTION 4. Section 42.052(i), Human Resources Code, is  
24 amended to read as follows:

25 (i) The department shall provide to a listed family home a  
26 copy of the listing. A listing must contain a provision that  
27 states: "THIS HOME IS A LISTED FAMILY HOME. IT IS NOT LICENSED OR

1 REGISTERED WITH THE DEPARTMENT OF FAMILY AND PROTECTIVE  
2 SERVICES. IT HAS UNDERGONE AN INITIAL SITE VISIT BUT [~~NOT BEEN~~  
3 ~~INSPECTED AND~~] WILL NOT BE INSPECTED." The operator of a listed  
4 home is not required to display the listing in a prominent place at  
5 the home but shall make the listing available for examination. The  
6 executive commissioner by rule shall provide for a sufficient  
7 period to allow operators of family homes to comply with the listing  
8 requirement of this section.

9 SECTION 5. Section 42.0522(b), Human Resources Code, is  
10 amended to read as follows:

11 (b) A family home may not place a public advertisement that  
12 uses the title "listed family home" or any variation of that phrase  
13 unless the home is listed as provided by this chapter. Any public  
14 advertisement for a listed family home that uses the title "listed  
15 family home" must contain a provision in bold type stating: "THIS  
16 HOME IS A LISTED FAMILY HOME. IT IS NOT LICENSED OR REGISTERED WITH  
17 THE DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES. IT HAS UNDERGONE  
18 AN INITIAL SITE VISIT BUT [~~NOT BEEN INSPECTED AND~~] WILL NOT BE  
19 INSPECTED."

20 SECTION 6. (a) The changes in law made by this Act apply to  
21 family homes listed before, on, or after the effective date of this  
22 Act.

23 (b) The caretaker of a family home listed before the  
24 effective date of this Act shall complete the preservice training  
25 required by Section 42.04211, Human Resources Code, as added by  
26 this Act, not later than December 1, 2019.

27 (c) Not later than March 1, 2020, the Department of Family

S.B. No. 867

1 and Protective Services shall conduct the site visit required by  
2 Section 42.04413, Human Resources Code, as added by this Act, of  
3 each family home listed before the effective date of this Act.

4 SECTION 7. This Act takes effect September 1, 2019.