

AN ACT

relating to the selection and reimbursement of certain persons providing services required under a service plan filed by the Department of Family and Protective Services.

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

SECTION 1. Subchapter B, Chapter 263, Family Code, is amended by adding Section 263.1021 to read as follows:

Sec. 263.1021. SELECTION AND REIMBURSEMENT OF SERVICE PROVIDER. (a) A parent who is required to complete a service plan under this subchapter may obtain services from a qualified or licensed provider selected by the parent.

(b) Services obtained from a provider selected under Subsection (a):

(1) must be designed to achieve the stated goals of the service plan; and

(2) may be provided through an electronic communication platform.

(c) A service provider selected by a parent shall certify in writing whether the parent has satisfactorily completed the required service.

(d) The department shall reimburse a service provider selected by the parent under Subsection (a) who is not under contract with the department in an amount equal to the average cost for the specific service from department contractors providing the

1 service in the region where the parent resides.

2 (e) The department shall:

3 (1) adopt rules relating to the manner in which  
4 providers are reimbursed for services provided under this section;  
5 and

6 (2) implement this section using existing resources.

7 SECTION 2. Not later than December 1, 2023, the Department  
8 of Family and Protective Services shall adopt the rules required by  
9 Section 263.1021(e), Family Code, as added by this Act.

10 SECTION 3. The changes in law made by this Act apply only to  
11 a suit filed by the Department of Family and Protective Services on  
12 or after the effective date of this Act. A suit filed by the  
13 department before that date is governed by the law in effect on the  
14 date the suit was filed, and the former law is continued in effect  
15 for that purpose.

16 SECTION 4. This Act takes effect September 1, 2023.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 793 was passed by the House on April 11, 2023, by the following vote: Yeas 144, Nays 1, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 793 was passed by the Senate on May 9, 2023, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor