

By: Campos

H.B. No. 3238

A BILL TO BE ENTITLED

AN ACT

relating to a family service plan.

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

SECTION 1. Section 263.102, Family Code, is amended by adding Subsections (g), (h), (i), (j), and (k) to read as follows:

(g) In preparing a service plan, the department shall make reasonable accommodations for a parent with a disability as required by the Americans with Disabilities Act (42 U.S.C. Section 12101 et seq.).

(h) Services ordered in the service plan must be narrowly tailored to address the reason for the child's removal.

(i) If the court finds under Section 262.201 that a parent, managing conservator, possessory conservator, guardian, caretaker, or custodian entitled to possession did not cause the immediate danger to the physical health or safety of the child or was not the perpetrator of the neglect or abuse alleged in the suit, the court may not require that parent, managing conservator, possessory conservator, guardian, caretaker, or custodian entitled to possession to participate in services ordered in the service plan.

(j) A person receiving services under a service plan may obtain those services from a qualified provider selected by the person if:

(1) the selected provider is qualified or licensed to provide the services ordered under the service plan;

1 (2) the services provided by the selected provider:

2 (A) meet the scope and duration of the services
3 ordered under the service plan; and

4 (B) achieve the stated goals of the service plan;
5 and

6 (3) the person selecting the provider pays for the
7 services.

8 (k) A person receiving services from a service provider
9 selected under Subsection (j) who successfully completes the
10 services must obtain written verification from the service provider
11 of that completion. The department shall accept the service
12 provider's verification as proof that the person has successfully
13 completed the services ordered under the service plan.

14 SECTION 2. The change in law made by this Act applies only
15 to a service plan that is created on or after the effective date of
16 this Act.

17 SECTION 3. This Act takes effect September 1, 2023.