

1-1 By: Kolkhorst, et al. S.B. No. 24
 1-2 (In the Senate - Filed March 7, 2023; March 9, 2023, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 March 20, 2023, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 1; March 20, 2023,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16		X		
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 24 By: Sparks

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the powers and duties of the Health and Human Services
 1-22 Commission and the transfer to the commission of certain powers and
 1-23 duties from the Department of Family and Protective Services.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-25 SECTION 1. Chapter 265, Family Code, is transferred to
 1-26 Title 9, Human Resources Code, redesignated as Chapter 137, Human
 1-27 Resources Code, and amended to read as follows:

1-28 CHAPTER 137 [265]. FAMILY SUPPORT [PREVENTION AND EARLY
 1-29 INTERVENTION] SERVICES

1-30 SUBCHAPTER A. FAMILY SUPPORT [PREVENTION AND EARLY INTERVENTION]
 1-31 SERVICES

1-32 Sec. 137.001 [265.001]. DEFINITIONS. In this chapter:

1-33 (1) "At-risk family" means a family with at least one
 1-34 child and at least one of the following:

1-35 (A) a child in the family has been the subject of
 1-36 an investigation of abuse, neglect, or exploitation by the
 1-37 Department of Family and Protective Services;

1-38 (B) the family is experiencing conditions that
 1-39 increase the likelihood of involvement with the child welfare
 1-40 system, the criminal justice system, or the juvenile justice
 1-41 system; or

1-42 (C) the family is experiencing other conditions
 1-43 that threaten the self-sufficiency or stability of the family
 1-44 ["Department" means the Department of Family and Protective
 1-45 Services].

1-46 (2) "Commission" means the Health and Human Services
 1-47 Commission ["Division" means the prevention and early intervention
 1-48 services division within the department].

1-49 (3) "Executive commissioner" means the executive
 1-50 commissioner of the commission.

1-51 (4) "Family support [Prevention and early
 1-52 intervention] services" means programs intended to provide [early]
 1-53 intervention and promote safety and stability for children and
 1-54 at-risk families [or prevent at-risk behaviors that lead to child
 1-55 abuse, delinquency, running away, truancy, and dropping out of
 1-56 school].

1-57 Sec. 137.002 [265.002]. FAMILY SUPPORT [PREVENTION AND
 1-58 EARLY INTERVENTION] SERVICES [DIVISION]. (a) The commission
 1-59 [department] shall:

1-60 (1) administer contracts [operate a division] to

2-1 provide family support services to ~~[for]~~ children and ~~[in]~~ at-risk
 2-2 ~~[situations and for the]~~ families;

2-3 ~~(2) [of those children and to achieve the~~
 2-4 ~~consolidation of prevention and early intervention services within~~
 2-5 ~~the jurisdiction of a single agency in order to avoid fragmentation~~
 2-6 ~~and duplication of services and to increase the accountability for~~
 2-7 ~~the delivery and administration of these services. The division~~
 2-8 ~~shall be called the prevention and early intervention services~~
 2-9 ~~division and shall have the following duties:~~

2-10 ~~[(1) to] plan, develop, and administer an integrated~~
 2-11 ~~continuum of care system of programs providing family support~~
 2-12 ~~services to at-risk families [a comprehensive and unified delivery~~
 2-13 ~~system of prevention and early intervention services to children~~
 2-14 ~~and their families in at-risk situations];~~

2-15 ~~(3) administer the referral, coordination, and~~
 2-16 ~~collaboration of family support services under this chapter with~~
 2-17 ~~similar, existing programs the commission operates;~~

2-18 ~~(4) [(2) to] improve the responsiveness of family~~
 2-19 ~~support services provided to [for at-risk] children and at-risk~~
 2-20 ~~[their] families by facilitating greater coordination and~~
 2-21 ~~flexibility in the use of funds by state and local service~~
 2-22 ~~providers;~~

2-23 ~~(5) [(3) to] provide greater accountability for~~
 2-24 ~~family support [prevention and early intervention] services in~~
 2-25 ~~order to demonstrate the impact or public benefit of a program by~~
 2-26 ~~adopting outcome measures; and~~

2-27 ~~(6) [(4) to] assist local communities in the~~
 2-28 ~~coordination and development of family support [prevention and~~
 2-29 ~~early intervention] services in order to maximize federal, state,~~
 2-30 ~~and local resources.~~

2-31 ~~(b) Family support services under this chapter are intended~~
 2-32 ~~to:~~

2-33 ~~(1) promote healthy outcomes and strengthen support~~
 2-34 ~~systems for children and at-risk families;~~

2-35 ~~(2) assist at-risk families in achieving~~
 2-36 ~~self-sufficiency and stability;~~

2-37 ~~(3) promote workforce participation; and~~

2-38 ~~(4) prevent or reduce at-risk behaviors in children~~
 2-39 ~~and at-risk families, including behaviors that may lead to:~~

2-40 ~~(A) child abuse or neglect;~~

2-41 ~~(B) delinquency, running away, truancy, dropping~~
 2-42 ~~out of school, or substance abuse; or~~

2-43 ~~(C) involvement with the child welfare system,~~
 2-44 ~~the juvenile justice system, or the criminal justice system [The~~
 2-45 ~~department's prevention and early intervention services division~~
 2-46 ~~must be organizationally separate from the department's divisions~~
 2-47 ~~performing child protective services and adult protective services~~
 2-48 ~~functions].~~

2-49 ~~Sec. 137.003 [265.003]. COORDINATION [CONSOLIDATION] OF~~
 2-50 ~~PROGRAMS. [(a)] In order to implement the duties provided in~~
 2-51 ~~Section 137.002 [265.002], the commission [department] shall~~
 2-52 ~~identify and coordinate with other [consolidate into the division]~~
 2-53 ~~programs the commission operates with the goal of providing family~~
 2-54 ~~support services [early intervention or prevention of at-risk~~
 2-55 ~~behavior that leads to child abuse, delinquency, running away,~~
 2-56 ~~truancy, and dropping out of school].~~

2-57 ~~[(b) The division may provide additional prevention and~~
 2-58 ~~early intervention services in accordance with Section 265.002.~~

2-59 ~~[Sec. 265.004. USE OF EVIDENCE-BASED PROGRAMS FOR AT-RISK~~
 2-60 ~~FAMILIES. (a) To the extent that money is appropriated for the~~
 2-61 ~~purpose, the department shall fund evidence-based programs,~~
 2-62 ~~including parenting education, home visitation, family support~~
 2-63 ~~services, mentoring, positive youth development programs, and~~
 2-64 ~~crisis counseling, offered by community-based organizations that~~
 2-65 ~~are designed to prevent or ameliorate child abuse and neglect. The~~
 2-66 ~~programs funded under this subsection may be offered by a child~~
 2-67 ~~welfare board established under Section 264.005, a local~~
 2-68 ~~governmental board granted the powers and duties of a child welfare~~
 2-69 ~~board under state law, a children's advocacy center established~~

3-1 ~~under Section 264.402, or other persons determined appropriate by~~
3-2 ~~the department.~~

3-3 ~~[(a-1) The department shall ensure that not less than 75~~
3-4 ~~percent of the money appropriated for parenting education programs~~
3-5 ~~under Subsection (a) funds evidence-based programs or practices~~
3-6 ~~described by Section 265.151(b) and that the remainder of that~~
3-7 ~~money funds promising programs or practices described by Section~~
3-8 ~~265.151(c) or evidence-informed programs or practices described by~~
3-9 ~~Section 265.151(d).~~

3-10 ~~[(a-2) The department shall actively seek and apply for any~~
3-11 ~~available federal funds to support parenting education programs~~
3-12 ~~provided under this section.~~

3-13 ~~[(b) The department shall place priority on programs that~~
3-14 ~~target children whose race or ethnicity is disproportionately~~
3-15 ~~represented in the child protective services system.~~

3-16 ~~[(c) The department shall periodically evaluate the~~
3-17 ~~evidence-based abuse and neglect prevention programs to determine~~
3-18 ~~the continued effectiveness of the programs.~~

3-19 ~~[Sec. 265.0041. COLLABORATION WITH INSTITUTIONS OF HIGHER~~
3-20 ~~EDUCATION. (a) Subject to the availability of funds, the Health~~
3-21 ~~and Human Services Commission, on behalf of the department, shall~~
3-22 ~~enter into agreements with institutions of higher education to~~
3-23 ~~conduct efficacy reviews of any prevention and early intervention~~
3-24 ~~programs that have not previously been evaluated for effectiveness~~
3-25 ~~through a scientific research evaluation process.~~

3-26 ~~[(b) Subject to the availability of funds, the department~~
3-27 ~~shall collaborate with an institution of higher education to create~~
3-28 ~~and track indicators of child well-being to determine the~~
3-29 ~~effectiveness of prevention and early intervention services.]~~

3-30 ~~Sec. 137.004 [265.005]. STRATEGIC PLAN. (a) The~~
3-31 ~~commission [department] shall develop and implement a five-year~~
3-32 ~~strategic plan for family support [prevention and early~~
3-33 ~~intervention] services. Not later than September 1 of the last~~
3-34 ~~fiscal year in each five-year period, the commission [department]~~
3-35 ~~shall issue a new strategic plan for the next five fiscal years~~
3-36 ~~beginning with the following fiscal year.~~

3-37 (b) A strategic plan required under this section must:

3-38 (1) identify methods to leverage other sources of
3-39 funding or provide support for existing community-based
3-40 [prevention] efforts to provide family support services;

3-41 (2) include a needs assessment that identifies
3-42 programs to best target family support services to the needs of
3-43 underserved [the highest risk] populations and geographic areas;

3-44 (3) identify [the goals and] priorities and specific
3-45 commission actions to coordinate and provide family support
3-46 services to children and at-risk families [for the department's
3-47 overall prevention efforts];

3-48 (4) identify and report on specific outcome
3-49 measurements by obtaining and reporting de-identified aggregate
3-50 data, as permitted by other law, on the number of program
3-51 participants who are:

3-52 (A) involved in the child welfare system, the
3-53 juvenile justice system, or the criminal justice system;

3-54 (B) recipients of other services the commission
3-55 offers; or

3-56 (C) listed in the central registry of the names
3-57 of individuals found to have abused or neglected a child maintained
3-58 under Section 261.002, Family Code [report the results of previous
3-59 prevention efforts using available information in the plan];

3-60 (5) identify additional methods of measuring program
3-61 effectiveness and results or outcomes;

3-62 (6) identify methods to collaborate with other state
3-63 agencies on [prevention] efforts to provide family support
3-64 services;

3-65 (7) identify specific strategies to implement the plan
3-66 and to develop measures for reporting on the overall progress
3-67 toward the plan's goals;

3-68 (8) ~~[identify strategies and goals for increasing the~~
3-69 ~~number of families receiving prevention and early intervention~~

4-1 ~~services each year, subject to the availability of funds, to reach~~
4-2 ~~targets set by the department for providing services to families~~
4-3 ~~that are eligible to receive services through parental education,~~
4-4 ~~family support, and community-based programs financed with~~
4-5 ~~federal, state, local, or private resources; and~~

4-6 ~~[(9)] identify specific strategies to increase local~~
4-7 ~~capacity for the delivery of family support [~~prevention and early~~~~
4-8 ~~intervention] services through collaboration with communities and~~
4-9 ~~stakeholders; and~~

4-10 ~~(9) address methods for coordinating with other~~
4-11 ~~commission programs under Section 137.003.~~

4-12 (c) The commission [~~department~~] shall coordinate with
4-13 interested parties and communities in developing the strategic plan
4-14 under this section.

4-15 (d) The commission [~~department~~] shall annually review and
4-16 appropriately update the strategic plan developed under this
4-17 section.

4-18 (e) The commission [~~department~~] shall post the strategic
4-19 plan developed under this section and any update to the plan on its
4-20 Internet website.

4-21 [~~Sec. 265.006. PROHIBITION ON USE OF AGENCY NAME OR LOGO.~~
4-22 ~~The department may not allow the use of the department's name or~~
4-23 ~~identifying logo or insignia on forms or other materials related to~~
4-24 ~~the department's prevention and early intervention services that~~
4-25 ~~are:~~

4-26 ~~[(1) provided by the department's contractors; or~~
4-27 ~~[(2) distributed by the department's contractors to~~
4-28 ~~the department's clients.~~

4-29 [~~Sec. 265.007. IMPROVING PROVISION OF PREVENTION AND EARLY~~
4-30 ~~INTERVENTION SERVICES. (a) To improve the effectiveness and~~
4-31 ~~delivery of prevention and early intervention services, the~~
4-32 ~~department shall:~~

4-33 ~~[(1) identify geographic areas that have a high need~~
4-34 ~~for prevention and early intervention services but do not have~~
4-35 ~~prevention and early intervention services available in the area or~~
4-36 ~~have only unevaluated prevention and early intervention services~~
4-37 ~~available in the area; and~~

4-38 ~~[(2) develop strategies for community partners to:~~
4-39 ~~[(A) improve the early recognition of child abuse~~
4-40 ~~or neglect;~~

4-41 ~~[(B) improve the reporting of child abuse and~~
4-42 ~~neglect; and~~

4-43 ~~[(C) reduce child fatalities.~~
4-44 ~~[(b) The department may not use data gathered under this~~
4-45 ~~section to identify a specific family or individual.~~

4-46 [~~Sec. 265.008. EVALUATION OF PREVENTION AND EARLY~~
4-47 ~~INTERVENTION SERVICES. (a) The department may enter into~~
4-48 ~~agreements with institutions of higher education to conduct~~
4-49 ~~efficacy reviews of any prevention and early intervention services~~
4-50 ~~provided under this chapter that have not previously been evaluated~~
4-51 ~~for effectiveness in a research evaluation. The efficacy review~~
4-52 ~~shall include, when possible, a cost-benefit analysis of the~~
4-53 ~~program to the state and, when applicable, the return on investment~~
4-54 ~~of the program to the state.~~

4-55 ~~[(b) The department may not enter into an agreement to~~
4-56 ~~conduct a program efficacy evaluation under this section unless:~~

4-57 ~~[(1) the agreement with the institution of higher~~
4-58 ~~education is cost neutral; and~~

4-59 ~~[(2) the department and institution of higher~~
4-60 ~~education conducting the evaluation under this section protect the~~
4-61 ~~identity of individuals who are receiving services from the~~
4-62 ~~department that are being evaluated.]~~

4-63 SUBCHAPTER B. FAMILY SUPPORT SERVICES PROGRAMS FOR CHILD ABUSE AND
4-64 NEGLECT [~~PRIMARY~~] PREVENTION [~~PROGRAMS~~]

4-65 Sec. 137.051 [~~265.051~~]. DEFINITIONS. In this subchapter:

4-66 (1) "Child abuse and neglect prevention" means family
4-67 support services designed to prevent child abuse and neglect before
4-68 the abuse or neglect occurs. The term includes infant mortality
4-69 prevention education programs.

5-1 (2) "Children's trust fund" means a child abuse and
5-2 neglect [~~primary~~] prevention program.

5-3 [~~(2) "Primary prevention" means services and~~
5-4 ~~activities available to the community at large or to families to~~
5-5 ~~prevent child abuse and neglect before it occurs. The term includes~~
5-6 ~~infant mortality prevention education programs.]~~

5-7 (3) "Operating fund" means the commission's
5-8 [~~Department of Family and Protective Services~~] child abuse and
5-9 neglect prevention operating fund account.

5-10 (4) "State agency" means a board, commission,
5-11 department, office, or other state agency that:

5-12 (A) is in the executive branch of the state
5-13 government;

5-14 (B) was created by the constitution or a statute
5-15 of this state; and

5-16 (C) has statewide jurisdiction.

5-17 (5) "Trust fund" means the commission's child abuse
5-18 and neglect prevention trust fund account.

5-19 Sec. 137.052 [~~265.052~~]. CHILD ABUSE AND NEGLECT [~~PRIMARY~~]
5-20 PREVENTION PROGRAMS. (a) The commission [~~department~~] shall
5-21 operate the children's trust fund to:

5-22 (1) set policy, offer resources for community
5-23 [~~primary~~] prevention programs, and provide information and
5-24 education on family support services and prevention of child abuse
5-25 and neglect;

5-26 (2) develop a state plan for expending funds for child
5-27 abuse and neglect [~~primary~~] prevention programs that includes an
5-28 annual schedule of transfers of trust fund money to the operating
5-29 fund;

5-30 (3) develop eligibility criteria for applicants
5-31 requesting funding for child abuse and neglect [~~primary~~] prevention
5-32 programs; and

5-33 (4) establish funding priorities for child abuse and
5-34 neglect [~~primary~~] prevention programs.

5-35 (b) The children's trust fund shall accommodate the
5-36 commission's [~~department's~~] existing rules and policies in
5-37 procuring, awarding, and monitoring contracts and grants.

5-38 (c) The commission [~~department~~] may:

5-39 (1) apply for and receive funds made available by the
5-40 federal government or another public or private source for
5-41 administering programs under this subchapter and for funding for
5-42 child abuse and neglect [~~primary~~] prevention programs; and

5-43 (2) solicit donations for child abuse and neglect
5-44 [~~primary~~] prevention programs.

5-45 Sec. 137.053 [~~265.053~~]. ADMINISTRATIVE AND OTHER COSTS.

5-46 (a) Administrative costs under this subchapter during any fiscal
5-47 year may not exceed an amount equal to 50 percent of the interest
5-48 credited to the trust fund during the preceding fiscal year.

5-49 (b) Funds expended under a special project grant from a
5-50 governmental source or a nongovernmental source for public
5-51 education or public awareness may not be counted as administrative
5-52 costs for the purposes of this section.

5-53 Sec. 137.054 [~~265.054~~]. CHILD ABUSE AND NEGLECT PREVENTION

5-54 TRUST FUND ACCOUNT. (a) The child abuse and neglect prevention
5-55 trust fund account is an account in the general revenue fund. Money
5-56 in the trust fund is dedicated to child abuse and neglect [~~primary~~]
5-57 prevention programs and family support services programs.

5-58 (b) The commission [~~department~~] may transfer money
5-59 contained in the trust fund to the operating fund at any time.
5-60 However, during a fiscal year the commission [~~department~~] may not
5-61 transfer more than the amount appropriated for the operating fund
5-62 for that fiscal year. Money transferred to the operating fund that
5-63 was originally deposited to the credit of the trust fund under
5-64 Section 118.022, Local Government Code, may be used only for child
5-65 abuse and neglect [~~primary~~] prevention programs.

5-66 (c) Interest earned on the trust fund shall be credited to
5-67 the trust fund.

5-68 (d) The trust fund is exempt from the application of Section
5-69 403.095, Government Code.

6-1 (e) All marriage license fees and other fees collected for
 6-2 and deposited in the trust fund and interest earned on the trust
 6-3 fund balance shall be appropriated each biennium only to the
 6-4 operating fund for child abuse and neglect [~~primary~~] prevention
 6-5 programs and family support services programs.

6-6 Sec. 137.055 [~~265.055~~]. COMMISSION [~~DEPARTMENT~~] OPERATING
 6-7 FUND ACCOUNT. (a) The operating fund is an account in the general
 6-8 revenue fund.

6-9 (b) Administrative and other costs allowed in Section
 6-10 137.053 [~~265.053~~] shall be taken from the operating fund. The
 6-11 commission [~~department~~] may transfer funds contained in the
 6-12 operating fund to the trust fund at any time.

6-13 (c) The legislature may appropriate the money in the
 6-14 operating fund to carry out the provisions of this subchapter.

6-15 (d) The operating fund is exempt from the application of
 6-16 Section 403.095, Government Code.

6-17 [~~Sec. 265.056. CONTRIBUTIONS. (a) The department may~~
 6-18 ~~solicit contributions from any appropriate source.~~

6-19 [~~(b) Any other contributions for child abuse and neglect~~
 6-20 ~~primary prevention or other prevention and early intervention~~
 6-21 ~~programs shall be deposited into a separate designated fund in the~~
 6-22 ~~state treasury and shall be used for that designated purpose.~~

6-23 [~~(c) A person may contribute funds to either the trust fund,~~
 6-24 ~~the operating fund, or a fund designated by the department for a~~
 6-25 ~~specific child abuse and neglect primary prevention or other~~
 6-26 ~~prevention or early intervention purpose.~~

6-27 [~~(d) If a person designates that a contribution is intended~~
 6-28 ~~as a donation to a specific fund, the contribution shall be~~
 6-29 ~~deposited in the designated fund.]~~

6-30 Sec. 137.056 [~~265.057~~]. COMMUNITY YOUTH DEVELOPMENT
 6-31 GRANTS. (a) Subject to available funding, the commission
 6-32 [~~department~~] shall award community youth development grants to
 6-33 communities identified by incidence of crime. The commission
 6-34 [~~department~~] shall give priority in awarding grants under this
 6-35 section to areas of the state in which there is a high incidence of
 6-36 juvenile crime.

6-37 (b) The purpose of a grant under this section is to assist a
 6-38 community in alleviating conditions in the family and community
 6-39 that lead to juvenile crime.

6-40 SUBCHAPTER C. NURSE-FAMILY PARTNERSHIP COMPETITIVE GRANT PROGRAM

6-41 Sec. 137.101 [~~265.101~~]. DEFINITIONS. In this subchapter:

6-42 (1) "Competitive grant program" means the
 6-43 nurse-family partnership competitive grant program established
 6-44 under this subchapter.

6-45 (2) "Partnership program" means a nurse-family
 6-46 partnership program.

6-47 Sec. 137.102 [~~265.102~~]. OPERATION OF NURSE-FAMILY
 6-48 PARTNERSHIP COMPETITIVE GRANT PROGRAM. (a) The commission
 6-49 [~~department~~] shall operate a nurse-family partnership competitive
 6-50 grant program for [~~through which~~] the commission to [~~department~~
 6-51 ~~will~~] award grants for the implementation of nurse-family
 6-52 partnership programs, or the expansion of existing programs, and
 6-53 for the operation of those programs for a period of not less than
 6-54 two years.

6-55 (b) The commission [~~department~~] shall award grants under
 6-56 the program to applicants, including applicants operating existing
 6-57 programs, in a manner that ensures that the partnership programs
 6-58 collectively [+]

6-59 [(1)] operate in multiple communities that are
 6-60 geographically distributed throughout this state[, and

6-61 [(2)] ~~provide program services to approximately 2,000~~
 6-62 ~~families~~].

6-63 Sec. 137.103 [~~265.103~~]. PARTNERSHIP PROGRAM REQUIREMENTS.
 6-64 A partnership program funded through a grant awarded under this
 6-65 subchapter must:

6-66 (1) strictly adhere to the program model developed by
 6-67 the Nurse-Family Partnership National Service Office, including
 6-68 any clinical, programmatic, and data collection requirements of
 6-69 that model;

7-1 (2) require that registered nurses regularly visit the
 7-2 homes of low-income, first-time mothers participating in the
 7-3 program to provide services designed to:
 7-4 (A) improve pregnancy outcomes;
 7-5 (B) improve child health and development;
 7-6 (C) improve family economic self-sufficiency and
 7-7 stability; ~~and~~
 7-8 (D) reduce the incidence of child abuse and
 7-9 neglect;
 7-10 (E) increase workforce participation; and
 7-11 (F) reduce reliance on state and federal public
 7-12 assistance programs;

7-13 (3) require that nurses who provide services through
 7-14 the program:
 7-15 (A) receive training from the office of the
 7-16 attorney general at least once each year on procedures by which a
 7-17 person may voluntarily acknowledge the paternity of a child and on
 7-18 the availability of child support services from the office;

7-19 (B) provide a mother with information about the
 7-20 rights, responsibilities, and benefits of establishing the
 7-21 paternity of her child, if appropriate;

7-22 (C) provide assistance to a mother and the
 7-23 alleged father of her child if the mother and alleged father seek to
 7-24 voluntarily acknowledge paternity of the child, if appropriate; and

7-25 (D) provide information to a mother about the
 7-26 availability of child support services from the office of the
 7-27 attorney general; and

7-28 (4) require that the regular nurse visits described by
 7-29 Subdivision (2) begin not later than a mother's 28th week of
 7-30 gestation and end when her child reaches two years of age.

7-31 Sec. 137.104 ~~[265.104]~~. APPLICATION. (a) A public or
 7-32 private entity, including a county, municipality, or other
 7-33 political subdivision of this state, may apply for a grant under
 7-34 this subchapter.

7-35 (b) To apply for a grant, an applicant must submit a written
 7-36 application to the commission ~~[department]~~ on a form prescribed by
 7-37 the commission ~~[department]~~ in consultation with the Nurse-Family
 7-38 Partnership National Service Office.

7-39 (c) The application ~~[prescribed by the department]~~ must:

7-40 (1) require the applicant to provide data on the
 7-41 number of low-income, first-time mothers residing in the community
 7-42 in which the applicant proposes to operate or expand a partnership
 7-43 program and provide a description of existing services available to
 7-44 those mothers;

7-45 (2) describe the ongoing monitoring and evaluation
 7-46 process to which a grant recipient is subject under Section 137.107
 7-47 ~~[265.109]~~, including the recipient's obligation to collect and
 7-48 provide information requested by the commission ~~[department]~~ under
 7-49 Section 137.107(c) ~~[265.109(c)]~~; and

7-50 (3) require the applicant to provide other relevant
 7-51 information as determined by the commission ~~[department]~~.

7-52 ~~[Sec. 265.105. ADDITIONAL CONSIDERATIONS IN AWARDING~~
 7-53 ~~GRANTS. In addition to the factors described by Sections~~
 7-54 ~~265.102(b) and 265.103, in determining whether to award a grant to~~
 7-55 ~~an applicant under this subchapter, the department shall consider:~~

7-56 ~~[(1) the demonstrated need for a partnership program~~
 7-57 ~~in the community in which the applicant proposes to operate or~~
 7-58 ~~expand the program, which may be determined by considering:~~

7-59 ~~[(A) the poverty rate, the crime rate, the number~~
 7-60 ~~of births to Medicaid recipients, the rate of poor birth outcomes,~~
 7-61 ~~and the incidence of child abuse and neglect during a prescribed~~
 7-62 ~~period in the community; and~~

7-63 ~~[(B) the need to enhance school readiness in the~~
 7-64 ~~community;~~

7-65 ~~[(2) the applicant's ability to participate in ongoing~~
 7-66 ~~monitoring and performance evaluations under Section 265.109,~~
 7-67 ~~including the applicant's ability to collect and provide~~
 7-68 ~~information requested by the department under Section 265.109(c);~~

7-69 ~~[(3) the applicant's ability to adhere to the~~

8-1 ~~partnership program standards adopted under Section 265.106,~~
8-2 ~~[(4) the applicant's ability to develop broad-based~~
8-3 ~~community support for implementing or expanding a partnership~~
8-4 ~~program, as applicable; and~~
8-5 ~~[(5) the applicant's history of developing and~~
8-6 ~~sustaining innovative, high-quality programs that meet the needs of~~
8-7 ~~families and communities.]~~
8-8 Sec. 137.105 [265.106]. PARTNERSHIP PROGRAM STANDARDS.
8-9 The executive commissioner~~[, with the assistance of the~~
8-10 ~~Nurse-Family Partnership National Service Office,]~~ shall adopt
8-11 standards for the partnership programs funded under this
8-12 subchapter. The standards must be consistent with ~~[adhere to]~~ the
8-13 Nurse-Family Partnership National Service Office program model
8-14 standards and guidelines that were developed in multiple,
8-15 randomized clinical trials and have been tested and replicated in
8-16 multiple communities.
8-17 Sec. 137.106 [265.107]. USE OF AWARDED GRANT FUNDS. The
8-18 grant funds awarded under this subchapter may be used only to cover
8-19 costs related to implementing or expanding and operating a
8-20 partnership program, including costs related to:
8-21 (1) administering the program;
8-22 (2) training and managing registered nurses who
8-23 participate in the program;
8-24 (3) paying the salaries and expenses of registered
8-25 nurses who participate in the program;
8-26 (4) paying for facilities and equipment for the
8-27 program; and
8-28 (5) paying for services provided by the Nurse-Family
8-29 Partnership National Service Office to ensure a grant recipient
8-30 adheres to the organization's program model.
8-31 ~~[Sec. 265.108. STATE NURSE CONSULTANT. Using money~~
8-32 ~~appropriated for the competitive grant program, the department~~
8-33 ~~shall hire or contract with a state nurse consultant to assist grant~~
8-34 ~~recipients with implementing or expanding and operating the~~
8-35 ~~partnership programs in the applicable communities.]~~
8-36 Sec. 137.107 [265.109]. PROGRAM MONITORING AND EVALUATION;
8-37 ANNUAL COMMITTEE REPORTS. (a) The commission ~~[department, with~~
8-38 ~~the assistance of the Nurse-Family Partnership National Service~~
8-39 ~~Office,]~~ shall:
8-40 (1) adopt performance indicators that are designed to
8-41 measure a grant recipient's performance with respect to the
8-42 partnership program standards adopted by the executive
8-43 commissioner under Section 137.105 [265.106];
8-44 (2) use the performance indicators to continuously
8-45 monitor and formally evaluate on an annual basis the performance of
8-46 each grant recipient; and
8-47 (3) prepare and submit an annual report, not later
8-48 than December 1 of each year, to the Senate Health and Human
8-49 Services Committee, or its successor, and the House Human Services
8-50 Committee, or its successor, regarding the performance of each
8-51 grant recipient during the preceding state fiscal year with respect
8-52 to providing partnership program services.
8-53 (b) The report required under Subsection (a)(3) must
8-54 include:
8-55 (1) the number of:
8-56 (A) low-income, first-time mothers to whom each
8-57 grant recipient provided partnership program services and, of that
8-58 number, the number of mothers who established the paternity of an
8-59 alleged father as a result of services provided under the program;
8-60 (B) mothers who married the father or reside in
8-61 the same household with the father;
8-62 (C) mothers who have previous involvement with
8-63 the child welfare system, the criminal justice system, or the
8-64 juvenile justice system; and
8-65 (D) mothers who receive other services from the
8-66 commission;
8-67 (2) the extent to which each grant recipient made
8-68 regular visits to mothers during the period described by Section
8-69 137.103(4) [265.103(4)]; and

9-1 (3) the extent to which each grant recipient adhered
9-2 to the Nurse-Family Partnership National Service Office's program
9-3 model, including the extent to which registered nurses:

9-4 (A) conducted home visitations comparable in
9-5 frequency, duration, and content to those delivered in Nurse-Family
9-6 Partnership National Service Office clinical trials; and

9-7 (B) assessed the health and well-being of mothers
9-8 and children participating in the partnership programs in
9-9 accordance with indicators of maternal, child, and family health
9-10 defined by the [~~department in consultation with the~~] Nurse-Family
9-11 Partnership National Service Office and required by the commission.

9-12 (c) On request, each grant recipient shall timely collect
9-13 and provide data and any other information required by the
9-14 commission [~~department~~] to monitor and evaluate the recipient or to
9-15 prepare the report required by this section.

9-16 Sec. 137.108 [~~265.110~~]. COMPETITIVE GRANT PROGRAM FUNDING.

9-17 (a) The commission [~~department~~] shall actively seek and apply for
9-18 any available federal funds, including federal Medicaid and
9-19 Temporary Assistance for Needy Families (TANF) funds, to assist in
9-20 financing the competitive grant program established under this
9-21 subchapter.

9-22 (b) The commission [~~department~~] may use appropriated funds
9-23 from the state government and may accept gifts, donations, and
9-24 grants of money from the federal government, local governments,
9-25 private corporations, or other persons to assist in financing the
9-26 competitive grant program.

9-27 SUBCHAPTER D. EVIDENCE-BASED PROGRAMS AND PRACTICES

9-28 Sec. 137.151 [~~265.151~~]. REQUIREMENTS FOR PROGRAMS AND
9-29 PRACTICES ON EVIDENCE-BASED SPECTRUM. (a) [~~(b)~~] An evidence-based
9-30 program or practice is a program or practice that:

9-31 (1) is research-based and grounded in relevant,
9-32 empirical knowledge and program-determined outcomes;

9-33 (2) has comprehensive standards ensuring the highest
9-34 quality service delivery with continuous improvement in the quality
9-35 of service delivery;

9-36 (3) has demonstrated significant positive outcomes;

9-37 (4) has been evaluated by at least one rigorous,
9-38 random, controlled research trial across heterogeneous populations
9-39 or communities with research results that have been published in a
9-40 peer-reviewed journal;

9-41 (5) substantially complies with a program or practice
9-42 manual or design that specifies the purpose, outcomes, duration,
9-43 and frequency of the program or practice services;

9-44 (6) employs well-trained and competent staff and
9-45 provides continual relevant professional development opportunities
9-46 to the staff; and

9-47 (7) is associated with an organization in this state,
9-48 a national organization, an institution of higher education, or a
9-49 national or state public health institute.

9-50 (b) [~~(c)~~] A promising program or practice is a program or
9-51 practice that:

9-52 (1) has an active impact evaluation of the program or
9-53 practice or demonstrates a schedule for implementing an active
9-54 impact evaluation of the program or practice;

9-55 (2) has been evaluated by at least one outcome-based
9-56 study demonstrating effectiveness or random, controlled trial in a
9-57 homogeneous sample;

9-58 (3) substantially complies with a program or practice
9-59 manual or design that specifies the purpose, outcomes, duration,
9-60 and frequency of the program or practice services;

9-61 (4) employs well-trained and competent staff and
9-62 provides continual relevant professional development opportunities
9-63 to the staff; and

9-64 (5) is research-based and grounded in relevant,
9-65 empirical knowledge and program- or practice-determined outcomes.

9-66 (c) [~~(d)~~] An evidence-informed program or practice is a
9-67 program or practice that:

9-68 (1) combines well-researched interventions with
9-69 clinical experience and ethics, and client preferences and culture,

10-1 to guide and inform the delivery of treatments and services;
 10-2 (2) has an active impact evaluation of the program or
 10-3 practice or demonstrates a schedule for implementing an active
 10-4 impact evaluation of the program or practice;
 10-5 (3) substantially complies with a program or practice
 10-6 manual or design that specifies the purpose, outcome, duration, and
 10-7 frequency of the program or practice services; and
 10-8 (4) employs well-trained and competent staff and
 10-9 provides continual relevant professional development opportunities
 10-10 to the staff.

10-11 Sec. 137.152 [265.152]. OUTCOMES OF EVIDENCE-BASED FAMILY
 10-12 SUPPORT SERVICES [PREVENTION AND EARLY INTERVENTION] PROGRAMS AND
 10-13 PRACTICES. The commission [department] shall ensure that a family
 10-14 support services [prevention and early intervention] program or
 10-15 practice provided under this subchapter achieves favorable
 10-16 behavioral outcomes in at least two of the following areas:

- 10-17 (1) improved cognitive development of children;
- 10-18 (2) increased readiness for and participation and
 10-19 performance in school;
- 10-20 (3) reduced child abuse, neglect, and injury;
- 10-21 (4) improved child safety;
- 10-22 (5) improved social-emotional development of children
 10-23 and youth;
- 10-24 (6) increased protective factors, including
 10-25 nurturing, bonding, and other parenting skills;
- 10-26 (7) improved family economic self-sufficiency;
- 10-27 (8) reduced parental or youth involvement with the
 10-28 criminal justice system; and
- 10-29 (9) increased paternal involvement and support.

10-30 Sec. 137.153 [265.153]. EVALUATION OF FAMILY SUPPORT
 10-31 SERVICES [PREVENTION AND EARLY INTERVENTION] PROGRAMS AND
 10-32 PRACTICES. (a) The commission [department] shall adopt outcome
 10-33 indicators to measure the effectiveness of family support services
 10-34 [prevention and early intervention] programs and practices
 10-35 provided under this subchapter in achieving desired outcomes.

10-36 (b) The commission [department] may work directly with the
 10-37 model developer of a family support services [prevention and early
 10-38 intervention] program or practice to identify appropriate outcome
 10-39 indicators for the program or practice and to ensure that the
 10-40 program or practice substantially complies with the model.

10-41 (c) The commission [department] shall develop internal
 10-42 processes to share information with family support services
 10-43 [prevention and early intervention service] providers to assist the
 10-44 commission [department] in analyzing the performance of the
 10-45 programs or practices.

10-46 (d) The commission [department] shall use information
 10-47 obtained under this section to:

- 10-48 (1) monitor family support services [prevention and
 10-49 early intervention] programs and practices;
- 10-50 (2) continually improve the quality of the programs
 10-51 and practices; and
- 10-52 (3) evaluate the effectiveness of the programs and
 10-53 practices.

10-54 [~~Sec. 265.154. REPORTS TO LEGISLATURE. (a) Not later than~~
 10-55 ~~December 1 of each even-numbered year, the department shall prepare~~
 10-56 ~~and submit a report on state-funded prevention and early~~
 10-57 ~~intervention programs and practices to the standing committees of~~
 10-58 ~~the senate and house of representatives with jurisdiction over~~
 10-59 ~~child protective services.~~

10-60 [~~(b) A report submitted under this section must include:~~

10-61 [~~(1) a description of the prevention and early~~
 10-62 ~~intervention programs and practices implemented and of the models~~
 10-63 ~~associated with the programs and practices;~~

10-64 [~~(2) information on the families served by the~~
 10-65 ~~programs and practices, including the number of families served and~~
 10-66 ~~their demographic information;~~

10-67 [~~(3) the goals and achieved outcomes of the~~
 10-68 ~~implemented programs and practices;~~

10-69 [~~(4) information on the cost for each family served,~~

11-1 ~~including any available third-party return-on-investment analysis,~~
11-2 ~~and~~

11-3 ~~[(5) information explaining the percentage of money~~
11-4 ~~spent on evidence-based programs and practices, on promising~~
11-5 ~~programs and practices, and on evidence-informed programs and~~
11-6 ~~practices.]~~

11-7 Sec. 137.154 ~~[265.155]~~. RULES. The executive
11-8 commissioner ~~[of the department]~~ may adopt rules as necessary to
11-9 implement this subchapter.

11-10 SECTION 2. Section 261.002, Family Code, is amended by
11-11 adding Subsection (d) to read as follows:

11-12 (d) The department shall provide the Health and Human
11-13 Services Commission with access to the central registry as
11-14 necessary for the commission to perform its duties under Section
11-15 137.004, Human Resources Code.

11-16 SECTION 3. Section 40.0025(b), Human Resources Code, is
11-17 amended to read as follows:

11-18 (b) In accordance with Subchapter A-1, Chapter 531,
11-19 Government Code, and notwithstanding any other law, the department
11-20 performs only functions, including the statewide intake of reports
11-21 and other information, related to the following services:

11-22 (1) child protective services, including services
11-23 that are required by federal law to be provided by this state's
11-24 child welfare agency;

11-25 (2) adult protective services, other than
11-26 investigations of the alleged abuse, neglect, or exploitation of an
11-27 elderly person or person with a disability:

11-28 (A) in a facility operated, or in a facility or by
11-29 a person licensed, certified, or registered, by a state agency; or

11-30 (B) by a provider that has contracted to provide
11-31 home and community-based services; and

11-32 (3) family support ~~[prevention and early~~
11-33 ~~intervention]~~ services functions, including:

11-34 (A) family support ~~[prevention and early~~
11-35 ~~intervention]~~ services as defined under Section 137.001 ~~[265.001,~~
11-36 ~~Family Code]~~; and

11-37 (B) programs that:
11-38 (i) provide parent education;
11-39 (ii) promote healthier parent-child
11-40 relationships; or
11-41 (iii) prevent family violence.

11-42 SECTION 4. Subtitle B, Title 2, Health and Safety Code, is
11-43 amended by adding Chapter 54 to read as follows:

11-44 CHAPTER 54. TEXAS PREGNANCY AND PARENTING SUPPORT NETWORK

11-45 Sec. 54.001. DEFINITIONS. In this chapter:

11-46 (1) "Abortion" has the meaning assigned by Section
11-47 245.002.

11-48 (2) "Network contractor" means a person who contracts
11-49 with the commission to provide or coordinate the provision of
11-50 services under this chapter.

11-51 Sec. 54.002. ESTABLISHMENT. (a) The commission shall
11-52 establish the Texas Pregnancy and Parenting Support Network as a
11-53 continuation of the alternatives to abortion program to:

11-54 (1) promote healthy pregnancy and childbirth;

11-55 (2) increase access to resources that promote family
11-56 and child development;

11-57 (3) encourage family formation;

11-58 (4) increase the number of families who achieve
11-59 economic self-sufficiency; and

11-60 (5) provide a local approach and personalized support
11-61 to pregnant women to promote childbirth in all instances of
11-62 pregnancy.

11-63 (b) The commission shall contract with network contractors
11-64 to establish a statewide network of service providers, including
11-65 pregnancy support centers, adoption assistance providers, and
11-66 maternity homes, to provide the services described by Section
11-67 54.003. The commission may contract with the service providers to
11-68 provide the services in accordance with this chapter.

11-69 (c) In developing the statewide network of service

12-1 providers, the commission shall, to the extent practicable,
 12-2 contract with providers who have a history of working with the
 12-3 commission in programs similar to the program created by this
 12-4 chapter.

12-5 Sec. 54.003. SERVICES. (a) Using the network contractors
 12-6 described under Section 54.002, the commission shall ensure that
 12-7 services described by this chapter are available throughout this
 12-8 state.

12-9 (b) Services provided through the network include:

12-10 (1) counseling and mentoring on pregnancy, education,
 12-11 parenting skills, adoption services, life skills, and employment
 12-12 readiness topics;

12-13 (2) care coordination for prenatal services,
 12-14 including connecting participants to health services provided
 12-15 through the network;

12-16 (3) educational materials and information about
 12-17 pregnancy, parenting, and adoption services;

12-18 (4) referrals to governmental and social service
 12-19 programs, including child care, transportation, housing, and state
 12-20 and federal benefit programs;

12-21 (5) classes on life skills, personal finance,
 12-22 parenthood, stress management, job training, job readiness, job
 12-23 placement, and educational attainment;

12-24 (6) provision of supplies for infant care and
 12-25 pregnancy, including car seats, cribs, maternity clothes, infant
 12-26 diapers, and formula; and

12-27 (7) housing and support services in maternity homes.

12-28 (c) The commission or network contractors may not provide
 12-29 family planning services through the network.

12-30 Sec. 54.004. ELIGIBILITY. Network services are available
 12-31 to a resident of this state who is:

12-32 (1) a pregnant woman;

12-33 (2) the biological father of an unborn child;

12-34 (3) the biological parent of a child who is 36 months
 12-35 of age or younger;

12-36 (4) an adoptive parent of a child who is 36 months of
 12-37 age or younger;

12-38 (5) an approved adoptive parent of an unborn child;

12-39 (6) a former participant who has experienced the loss
 12-40 of a child;

12-41 (7) a parent or legal guardian of a pregnant minor who
 12-42 is a network client;

12-43 (8) a network client who is the parent, legal
 12-44 guardian, or adult caregiver of a child who is 36 months of age or
 12-45 younger; and

12-46 (9) a parent who experienced a miscarriage or loss of a
 12-47 child not more than 90 days before the parent begins participation
 12-48 in the services offered through the network.

12-49 Sec. 54.005. PROVISION OF SERVICES. The commission and its
 12-50 network contractors shall contract with service providers to assess
 12-51 the needs of the participants and implement a plan to provide
 12-52 services to address the participants' most critical needs.

12-53 Sec. 54.006. PERFORMANCE OUTCOMES. (a) The commission and
 12-54 its network contractors may contract only with service providers
 12-55 whose performance outcomes include:

12-56 (1) improving healthy pregnancy and childbirth
 12-57 outcomes;

12-58 (2) improving child health and psychological
 12-59 development;

12-60 (3) assisting families in achieving economic
 12-61 self-sufficiency and stability;

12-62 (4) increasing workforce participation;

12-63 (5) reducing long-term reliance on state and federal
 12-64 public assistance programs; and

12-65 (6) promoting marriage and family formation for
 12-66 participating parents.

12-67 (b) The commission shall identify indicators to measure the
 12-68 performance outcomes under Subsection (a) and require periodic
 12-69 reporting on the outcomes by network contractors and participating

13-1 service providers.
13-2 Sec. 54.007. IMPACT EVALUATION. (a) The commission shall
13-3 periodically conduct impact evaluations to measure the effects of
13-4 services on participants receiving services through the network and
13-5 to report on measured performance outcomes.

13-6 (b) The commission shall contract with an external third
13-7 party to perform impact evaluations under this chapter.

13-8 (c) The commission shall coordinate with network
13-9 contractors in selecting the impact evaluator. The evaluator must
13-10 have a demonstrated history in evaluating social services programs
13-11 using an integrated holistic impact approach and data modeling.

13-12 (d) The commission may not use more than three percent of
13-13 funding allocated to the network to procure the services of an
13-14 evaluator under this section.

13-15 (e) The commission may not enter into an interagency
13-16 agreement to conduct an evaluation under this section.

13-17 Sec. 54.008. REPORTS; AUDITS. (a) The commission shall
13-18 compile reports provided by network contractors and service
13-19 providers under Section 54.006 and audit a sampling of the reports
13-20 to ensure validity.

13-21 (b) The commission shall annually issue a report that
13-22 includes:

13-23 (1) the total number of network contractors and
13-24 service providers, sorted by geographical region served;

13-25 (2) the total number of individuals served by each
13-26 provider, sorted by age and sex;

13-27 (3) the total amount of expenditures, sorted by method
13-28 of finance;

13-29 (4) the value of the contracts with each network
13-30 contractor and service provider;

13-31 (5) any outcome measures reported to the commission by
13-32 network contractors and service providers;

13-33 (6) any performance outcomes reported to the
13-34 commission under Section 54.006; and

13-35 (7) the results of any impact evaluation conducted
13-36 under Section 54.007.

13-37 Sec. 54.009. RULES. (a) The executive commissioner may
13-38 adopt rules to implement this chapter.

13-39 (b) The executive commissioner may not adopt a rule that
13-40 violates Chapter 110, Civil Practice and Remedies Code, or Chapter
13-41 45, Human Resources Code.

13-42 Sec. 54.010. FUNDING. (a) The commission shall, to the
13-43 greatest extent possible, seek private funding to supplement and
13-44 match funding provided through the network.

13-45 (b) The commission or a service provider may not:

13-46 (1) use funding provided through the network to
13-47 perform, induce, assist, or refer an abortion; or

13-48 (2) grant funds to an abortion provider or an
13-49 affiliate of an abortion provider.

13-50 SECTION 5. Section 118.022(b), Local Government Code, is
13-51 amended to read as follows:

13-52 (b) The comptroller shall deposit the money received under
13-53 Subsection (a)(1) to the credit of the child abuse and neglect
13-54 prevention trust fund account established under Section 137.054
13-55 [40.105], Human Resources Code.

13-56 SECTION 6. (a) On September 1, 2024, all powers, duties,
13-57 functions, programs, employees, administrative support services,
13-58 contracts, property, records, and other resources necessary to
13-59 comply with this Act are transferred from the Department of Family
13-60 and Protective Services to the Health and Human Services
13-61 Commission, including the operating fund and trust fund under
13-62 Subchapter B, Chapter 137, Human Resources Code, as amended by this
13-63 Act.

13-64 (b) The Health and Human Services Commission shall, not
13-65 later than September 1, 2025, develop and implement its initial
13-66 five-year strategic plan under Section 137.004, Human Resources
13-67 Code, as amended by this Act. The initial plan must additionally
13-68 include plans to develop and implement the system of family support
13-69 programs under Section 137.002(a)(2), Human Resources Code, as

14-1 amended by this Act.

14-2 SECTION 7. This Act takes effect September 1, 2023.

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