

Amend **CSSB 6** as follows:

(1) Add the following to be SECTION 1.35 and renumber the remaining SECTIONS as appropriate:

SECTION 1.35. PRIVATIZATION OF CHILD PROTECTIVE SERVICES.

(a) The Health and Human Services Commission shall conduct a study to identify functions of the child protective services division of the Department of Family and Protective Services that are not currently performed by a private person or performed by an entity under a contract with the department on a widespread basis, would result in improving the welfare of children receiving services from the department or in other benefits to the department.

(b) If the commission determines that contracting with a private person or entity to perform certain functions described by Subsection (a) of this section would be beneficial, the commission shall implement privatization of those functions through a pilot program in one county or one region of the state until September 1, 2009.

(c) The commission shall:

(1) ensure that the process for privatizing functions under Subsection (b) of this section and for monitoring that privatization includes rigorous accountability and oversight mechanisms;

(2) ensure that any contract entered into under Subsection (b) of this section contains the provisions required under Section 40.058(b), Human Resources Code, and is subject to the performance monitoring standards under Section 40.058(c), Human Resource Code;

(3) develop adequate contingency plans that allow for emergency takeovers of privatized functions if there is a disruption in the services provided by the contracted person or entity; and

(4) provide opportunities for any interested parties to comment and otherwise have input in all stages of the process for privatizing functions under Subsection (b) of this section.

(d) Not later than December 31, 2008, the Health and Human Services Commission shall report the results of any pilot program implemented under Subsection (b) of this section to the lieutenant

governor, the speaker of the house of representatives, and the clerks of the standing committees of the senate and house of representatives with primary jurisdiction over the department. The report must include:

(1) an analysis comparing costs and benefits of using a private entity to provide child protective services versus the state providing those services;

(2) a description of the problems the commission experienced during the pilot programs and a description of any potential problems the commission anticipates with implementing the pilot programs statewide; and

(3) recommendations on whether the pilot programs should be expanded statewide.