

BILL ANALYSIS

S.B. 681
By: West
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The assessments a child receives on entering the child welfare system are critical to determining appropriate placement and the need for services or medication. The tools used by clinicians in performing an assessment can vary greatly and clinicians are provided the same fee for their services, regardless of the thoroughness or quality of the assessment performed. Interested parties assert that the lack of standardization in this process can lead to the provision of disparate information to caseworkers, foster parents, or judges; increased costs to the state; and less than ideal outcomes for children in the system.

These parties further assert that the development of standards for tools used within an assessment, provided the standards give clinicians sufficient flexibility to select the most appropriate tool for each child, and guidelines for the form in which the information gathered in an assessment is presented would serve as a quality control measure, a potential cost control measure, and a means of maximizing the potential for assessment reports to be a meaningful resource for nonclinical audiences.

S.B. 681 seeks to provide for better and more uniform means of assessing the placement, treatment, and service needs of children in the child welfare system by creating a task force to study the assessments of children in the child welfare system.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 681 amends the Human Resources Code to establish the child welfare assessment task force to study the assessments used by the Department of Family and Protective Services (DFPS) to determine the appropriate placement, treatment, and service needs for a child; develop a list of tools for providers to use when conducting behavioral assessments of children in the child welfare system; and develop guidelines regarding the contents of assessment reports. The bill provides for the composition of the task force and requires the executive commissioner of the Health and Human Services Commission to make the task force appointments not later than January 1, 2012. The bill requires each member appointed to the task force to have experience and expertise relating to children's behavioral health and the study and prevention of child abuse and neglect. The bill requires the task force to elect a presiding officer by a vote of the membership of the task force and requires the task force to meet at the call of the presiding officer.

S.B. 681 requires the task force, not later than December 1, 2012, to prepare and submit to the commissioner of DFPS a report containing a description of the activities of the task force and the findings and recommendations of the task force, including a list of tools for providers to use when conducting behavioral assessments of children in the child welfare system and guidelines

regarding the contents of assessment reports. The bill requires DFPS, not later than September 1, 2013, to adopt policies that incorporate the findings and recommendations of the task force to the extent that such recommendations are generally accepted standards of practice or care for a physician, psychologist, or other professional who would conduct the assessment and can be implemented within existing fiscal resources appropriated to DFPS. The bill provides for the expiration of its provisions on September 1, 2014.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.