

1-1 By: West S.B. No. 681  
1-2 (In the Senate - Filed February 14, 2011; February 23, 2011,  
1-3 read first time and referred to Committee on Health and Human  
1-4 Services; April 11, 2011, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;  
1-6 April 11, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 681 By: Nelson

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the establishment of a task force to study the  
1-11 assessments of children in the child welfare system.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter C, Chapter 40, Human Resources Code,  
1-14 is amended by adding Section 40.074 to read as follows:

1-15 Sec. 40.074. CHILD WELFARE ASSESSMENT TASK FORCE. (a) The  
1-16 child welfare assessment task force is established to:

1-17 (1) study the assessments used by the department to  
1-18 determine the appropriate placement, treatment, and service needs  
1-19 for a child;

1-20 (2) develop a list of tools for providers to use when  
1-21 conducting behavioral assessments of children in the child welfare  
1-22 system; and

1-23 (3) develop guidelines regarding the contents of  
1-24 assessment reports.

1-25 (b) The task force consists of the following members  
1-26 appointed by the executive commissioner:

1-27 (1) one member from the National Association of Social  
1-28 Workers, Texas Chapter;

1-29 (2) one member from the Texas Foster Family  
1-30 Association;

1-31 (3) one member from the Texas Psychological  
1-32 Association;

1-33 (4) one member who is a member of the department's  
1-34 public-private partnership regarding foster care redesign;

1-35 (5) one member who receives or has received mental  
1-36 health services as a foster child;

1-37 (6) one member who is an advocate for children's  
1-38 interests in the child welfare system;

1-39 (7) one member who is a judge with experience working  
1-40 with cases involving child protective services;

1-41 (8) one member who is a parent with experience in the  
1-42 child welfare system;

1-43 (9) three members who are clinicians with experience  
1-44 in, and knowledge of, comprehensive assessments and training in  
1-45 trauma-informed assessment and care; and

1-46 (10) one member from the department.

1-47 (c) Each member appointed to the task force must have  
1-48 experience and expertise relating to children's behavioral health  
1-49 and the study and prevention of child abuse and neglect.

1-50 (d) The task force shall elect a presiding officer by a vote  
1-51 of the membership of the task force.

1-52 (e) The task force shall meet at the call of the presiding  
1-53 officer.

1-54 (f) Not later than December 1, 2012, the task force shall  
1-55 prepare and submit to the commissioner a report containing:

1-56 (1) a description of the activities of the task force;  
1-57 and

1-58 (2) the findings and recommendations of the task  
1-59 force, including:

1-60 (A) a list of tools for providers to use when  
1-61 conducting behavioral assessments of children in the child welfare  
1-62 system; and

1-63 (B) guidelines regarding the contents of

2-1 assessment reports.

2-2 (g) Not later than September 1, 2013, the department shall  
2-3 adopt policies that incorporate the findings and recommendations of  
2-4 the task force described by Subsection (f), to the extent that such  
2-5 recommendations:

2-6 (1) are generally accepted standards of practice or  
2-7 care for a physician, psychologist, or other professional who would  
2-8 conduct the assessment; and

2-9 (2) can be implemented within existing fiscal  
2-10 resources appropriated to the department.

2-11 (h) This section expires September 1, 2014.

2-12 SECTION 2. The executive commissioner of the Health and  
2-13 Human Services Commission shall make the appointments to the child  
2-14 welfare assessment task force created by this Act not later than  
2-15 January 1, 2012.

2-16 SECTION 3. This Act takes effect immediately if it receives  
2-17 a vote of two-thirds of all the members elected to each house, as  
2-18 provided by Section 39, Article III, Texas Constitution. If this  
2-19 Act does not receive the vote necessary for immediate effect, this  
2-20 Act takes effect September 1, 2011.

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