

AN ACT

relating to eligibility of children's advocacy centers for contracts to provide services for children and family members in child abuse and neglect cases.

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

SECTION 1. Section 264.411, Family Code, is amended to read as follows:

Sec. 264.411. ELIGIBILITY FOR CONTRACTS. (a) A public entity that operated as a center under this subchapter before November 1, 1995, or a nonprofit entity is eligible for a contract under Section 264.410 if the entity:

(1) has a signed memorandum of understanding as provided by Section 264.403;

(2) operates under the authority of a governing board as provided by Section 264.404;

(3) has a multidisciplinary team of persons involved in the investigation or prosecution of child abuse cases or the delivery of services as provided by Section 264.406;

(4) holds regularly scheduled case reviews as provided by Section 264.406;

(5) operates in a neutral and physically separate space from the day-to-day operations of any public agency partner;

(6) has developed a method of statistical information gathering on children receiving services through the center and

1 shares such statistical information with the statewide  
2 organization, the department, and the office of the attorney  
3 general when requested;

4 (7) has an in-house volunteer program;

5 (8) employs an executive director who is answerable to  
6 the board of directors of the entity and who is not the exclusive  
7 salaried employee of any public agency partner; ~~and~~

8 (9) operates under a working protocol that includes a  
9 statement of:

10 (A) the center's mission;

11 (B) each agency's role and commitment to the  
12 center;

13 (C) the type of cases to be handled by the center;

14 (D) the center's procedures for conducting case  
15 reviews and forensic interviews and for ensuring access to  
16 specialized medical and mental health services; and

17 (E) the center's policies regarding  
18 confidentiality and conflict resolution; and

19 (10) implements at the center the following program  
20 components:

21 (A) a case tracking system that monitors  
22 statistical information on each child and nonoffending family  
23 member or other caregiver who receives services through the center  
24 and that includes progress and disposition information for each  
25 service the multidisciplinary team determines should be provided to  
26 the client;

27 (B) a child-focused setting that is comfortable,

1 private, and physically and psychologically safe for diverse  
2 populations of children and nonoffending family members and other  
3 caregivers;

4 (C) family advocacy and victim support services  
5 that include comprehensive case management and victim support  
6 services available to each child and the child's nonoffending  
7 family members or other caregivers as part of the services the  
8 multidisciplinary team determines should be provided to a client;

9 (D) forensic interviews conducted in a neutral,  
10 fact-finding manner and coordinated to avoid duplicative  
11 interviewing;

12 (E) specialized medical evaluation and treatment  
13 services that are available to all children who receive services  
14 through the center and coordinated with the services the  
15 multidisciplinary team determines should be provided to a child;

16 (F) specialized trauma-focused mental health  
17 services that are designed to meet the unique needs of child abuse  
18 victims and the victims' nonoffending family members or other  
19 caregivers and that are available as part of the services the  
20 multidisciplinary team determines should be provided to a client;  
21 and

22 (G) a system to ensure that all services  
23 available to center clients are culturally competent and diverse  
24 and are coordinated with the services the multidisciplinary team  
25 determines should be provided to a client.

26 (b) The statewide organization may waive the requirements  
27 specified in Subsection (a) if it determines that the waiver will

1 not adversely affect the center's ability to carry out its duties  
2 under Section 264.405. ~~[Any waiver that is granted must be  
3 identified in the written contract with the center.]~~

4 SECTION 2. Section 264.411, Family Code, as amended by this  
5 Act, applies only to a contract entered into under Section 264.410,  
6 Family Code, on or after the effective date of this Act. A contract  
7 entered into before the effective date of this Act is governed by  
8 the law in effect on the date the contract was entered into, and the  
9 former law is continued in effect for that purpose.

10 SECTION 3. This Act takes effect September 1, 2013.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 245 passed the Senate on March 13, 2013, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 245 passed the House on May 8, 2013, by the following vote: Yeas 142, Nays 5, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor