

By: West

S.B. No. 245

A BILL TO BE ENTITLED

AN ACT

1
2 relating to eligibility of children's advocacy centers for
3 contracts to provide services for children and family members in
4 child abuse and neglect cases.

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

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

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

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

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

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

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

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

23 (6) has developed a method of statistical information
24 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.