

1-1 By: West S.B. No. 245  
 1-2 (In the Senate - Filed January 24, 2013; January 29, 2013,  
 1-3 read first time and referred to Committee on Health and Human  
 1-4 Services; February 26, 2013, reported favorably by the following  
 1-5 vote: Yeas 9, Nays 0; February 26, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nelson	X			
1-8 Deuell	X			
1-9 Huffman	X			
1-10 Nichols	X			
1-11 Schwertner	X			
1-12 Taylor	X			
1-13 Uresti	X			
1-14 West	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to eligibility of children's advocacy centers for  
 1-20 contracts to provide services for children and family members in  
 1-21 child abuse and neglect cases.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 264.411, Family Code, is amended to read  
 1-24 as follows:

1-25 Sec. 264.411. ELIGIBILITY FOR CONTRACTS. (a) A public  
 1-26 entity that operated as a center under this subchapter before  
 1-27 November 1, 1995, or a nonprofit entity is eligible for a contract  
 1-28 under Section 264.410 if the entity:

1-29 (1) has a signed memorandum of understanding as  
 1-30 provided by Section 264.403;

1-31 (2) operates under the authority of a governing board  
 1-32 as provided by Section 264.404;

1-33 (3) has a multidisciplinary team of persons involved  
 1-34 in the investigation or prosecution of child abuse cases or the  
 1-35 delivery of services as provided by Section 264.406;

1-36 (4) holds regularly scheduled case reviews as provided  
 1-37 by Section 264.406;

1-38 (5) operates in a neutral and physically separate  
 1-39 space from the day-to-day operations of any public agency partner;

1-40 (6) has developed a method of statistical information  
 1-41 gathering on children receiving services through the center and  
 1-42 shares such statistical information with the statewide  
 1-43 organization, the department, and the office of the attorney  
 1-44 general when requested;

1-45 (7) has an in-house volunteer program;

1-46 (8) employs an executive director who is answerable to  
 1-47 the board of directors of the entity and who is not the exclusive  
 1-48 salaried employee of any public agency partner; ~~and~~

1-49 (9) operates under a working protocol that includes a  
 1-50 statement of:

1-51 (A) the center's mission;

1-52 (B) each agency's role and commitment to the  
 1-53 center;

1-54 (C) the type of cases to be handled by the center;

1-55 (D) the center's procedures for conducting case  
 1-56 reviews and forensic interviews and for ensuring access to  
 1-57 specialized medical and mental health services; and

1-58 (E) the center's policies regarding  
 1-59 confidentiality and conflict resolution; and

1-60 (10) implements at the center the following program  
 1-61 components:

2-1 (A) a case tracking system that monitors  
2-2 statistical information on each child and nonoffending family  
2-3 member or other caregiver who receives services through the center  
2-4 and that includes progress and disposition information for each  
2-5 service the multidisciplinary team determines should be provided to  
2-6 the client;

2-7 (B) a child-focused setting that is comfortable,  
2-8 private, and physically and psychologically safe for diverse  
2-9 populations of children and nonoffending family members and other  
2-10 caregivers;

2-11 (C) family advocacy and victim support services  
2-12 that include comprehensive case management and victim support  
2-13 services available to each child and the child's nonoffending  
2-14 family members or other caregivers as part of the services the  
2-15 multidisciplinary team determines should be provided to a client;

2-16 (D) forensic interviews conducted in a neutral,  
2-17 fact-finding manner and coordinated to avoid duplicative  
2-18 interviewing;

2-19 (E) specialized medical evaluation and treatment  
2-20 services that are available to all children who receive services  
2-21 through the center and coordinated with the services the  
2-22 multidisciplinary team determines should be provided to a child;

2-23 (F) specialized trauma-focused mental health  
2-24 services that are designed to meet the unique needs of child abuse  
2-25 victims and the victims' nonoffending family members or other  
2-26 caregivers and that are available as part of the services the  
2-27 multidisciplinary team determines should be provided to a client;  
2-28 and

2-29 (G) a system to ensure that all services  
2-30 available to center clients are culturally competent and diverse  
2-31 and are coordinated with the services the multidisciplinary team  
2-32 determines should be provided to a client.

2-33 (b) The statewide organization may waive the requirements  
2-34 specified in Subsection (a) if it determines that the waiver will  
2-35 not adversely affect the center's ability to carry out its duties  
2-36 under Section 264.405. [~~Any waiver that is granted must be~~  
2-37 ~~identified in the written contract with the center.~~]

2-38 SECTION 2. Section 264.411, Family Code, as amended by this  
2-39 Act, applies only to a contract entered into under Section 264.410,  
2-40 Family Code, on or after the effective date of this Act. A contract  
2-41 entered into before the effective date of this Act is governed by  
2-42 the law in effect on the date the contract was entered into, and the  
2-43 former law is continued in effect for that purpose.

2-44 SECTION 3. This Act takes effect September 1, 2013.

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