

Amend Floor Amendment No. 1 by Nelson to CSSB 200 (senate committee report) as follows:

(1) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in added Section 531.02001, Government Code, strike "in the commission".

(2) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in the heading to added Section 531.0201, Government Code, strike "TO COMMISSION." and substitute ". (a)".

(3) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, immediately following added Section 531.0201(2)(C), Government Code, insert the following:

(b) On the dates specified in the transition plan required under Section 531.0204, all functions in the health and human services system related to prevention and early intervention services, including the Nurse-Family Partnership Competitive Grant Program under Subchapter C, Chapter 265, Family Code, are transferred to the Department of Family and Protective Services.

(4) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, at the end of added Section 531.02013(1)(A), Government Code, strike "; and" and substitute "i".

(5) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, immediately following added Section 531.02013(1)(B)(ii), Government Code, insert the following:

(C) prevention and early intervention services;  
and

(6) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in added Section 531.02014(a), Government Code, strike "to the commission" and substitute "to the commission or the Department of Family and Protective Services, as applicable,".

(7) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, strike added Section 531.02014(b), Government Code, and substitute the following:

(b) A rule, policy, or form adopted by or on behalf of a state agency or entity from which functions are transferred under

Section 531.0201, 531.02011, or 531.02012 that relates to a function that is transferred under one of those sections becomes a rule, policy, or form of the receiving state agency upon transfer of the related function and remains in effect:

(1) until altered by the commission or other receiving state agency, as applicable; or

(2) unless it conflicts with a rule, policy, or form of the receiving state agency.

(8) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in added Section 531.0202(a), Government Code, strike "have been transferred to the commission" and substitute "have been transferred".

(9) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in added Section 531.0202(c), Government Code, strike "to the commission as provided by this subchapter" and substitute "as provided by this subchapter".

(10) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in added Section 531.0202(c), Government Code, strike "funds from the Department of Family and Protective Services and the Department" and substitute "funds to or from the Department of Family and Protective Services and from the Department".

(11) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in added Section 531.0203(b), Government Code, strike "transfer of functions to the commission" and substitute "transfer of functions".

(12) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in added Section 531.0203(h)(1), Government Code, strike "transfer of functions to the commission" and substitute "transfer of functions".

(13) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in added Section 531.0203(j)(1), Government Code, strike "to the commission as provided by this subchapter" and substitute "to the commission and the Department of Family and Protective Services, including the need for any additional statutory changes required to complete the transfer of prevention and early intervention services functions to the

department in accordance with this subchapter".

(14) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, immediately following added Section 531.02031(b), Government Code, insert the following:

(c) The Health and Human Services Transition Legislative Oversight Committee shall include the following in the report submitted to the legislature under Subsection (b):

(1) an evaluation of the transfer of prevention and early intervention services functions to the Department of Family and Protective Services as provided by this subchapter, including an evaluation of:

(A) any increased coordination and efficiency in the operation of the programs achieved as a result of the transfer;

(B) the department's coordination with other state agency programs providing similar prevention and early intervention services; and

(C) the department's interaction with stakeholders and other interested parties in performing the department's functions; and

(2) any recommendations concerning the transfer of prevention and early intervention services functions of the department to another state agency.

(15) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in added Section 531.0204(a), Government Code, strike "to the commission".

(16) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in added Section 531.0204(a)(3)(D), Government Code, strike Subparagraphs (ii) and (iii) and substitute the following:

(ii) child protective services;

(iii) adult protective services; and

(iv) prevention and early intervention services; and

(17) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in added Section 531.0204(b)(1), Government Code, strike "to the commission; and" and substitute the following:

to the commission or the Department of Family and Protective Services, as applicable;

(2) the transferred prevention and early intervention services functions to the Department of Family and Protective Services include:

(A) prevention and early intervention services as defined under Section 265.001, Family Code; and

(B) programs that:

(i) provide parent education;

(ii) promote healthier parent-child relationships; or

(iii) prevent family violence; and

(18) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, in added Section 531.0204(b)(2), Government Code, strike "(2)" and substitute "(3)".

(19) In Item (1) of the amendment, in added Subchapter A-1, Chapter 531, Government Code, strike added Section 531.0204(d), Government Code, and substitute the following:

(d) Within the periods prescribed by Section 531.02001:

(1) the commission shall begin administering the respective functions assigned to the commission under Sections 531.0201 and 531.02011, as applicable; and

(2) the Department of Family and Protective Services shall begin administering the functions assigned to the department under Section 531.0201.

(d-1) The assumption of the administration of the functions transferred to the commission and the Department of Family and Protective Services under Sections 531.0201 and 531.02011, as applicable, must be accomplished in accordance with the transition plan.

(20) In Item (1) of the amendment, in added Section 531.0011(a), Government Code, between "to a function transferred" and "under Section 531.0201,", insert "to the commission".

(21) In Item (1) of the amendment, in added Section 531.0011(b), Government Code, between "to a function transferred" and "under Section 531.0201,", insert "to the commission".

(22) In Item (1) of the amendment, in added Section

531.0012(a), Government Code, between "to a function transferred" and "under Section 531.0201,", insert "to the commission".

(23) In Item (1) of the amendment, in added Section 531.0012(b), Government Code, between "to a function transferred" and "under Section 531.0201,", insert "to the commission".

(24) In Item (1) of the amendment, insert the following appropriately numbered SECTIONS:

SECTION 1.\_\_. Chapter 265, Family Code, is amended by designating Sections 265.001 through 265.004 as Subchapter A and adding a subchapter heading to read as follows:

SUBCHAPTER A. PREVENTION AND EARLY INTERVENTION SERVICES

SECTION 1.\_\_. Section 265.002, Family Code, is amended to read as follows:

Sec. 265.002. PREVENTION AND EARLY INTERVENTION SERVICES DIVISION. (a) The department shall operate a division to provide services for children in at-risk situations and for the families of those children and to achieve the consolidation of prevention and early intervention services within the jurisdiction of a single agency in order to avoid fragmentation and duplication of services and to increase the accountability for the delivery and administration of these services. The division shall be called the prevention and early intervention services division and shall have the following duties:

(1) to plan, develop, and administer a comprehensive and unified delivery system of prevention and early intervention services to children and their families in at-risk situations;

(2) to improve the responsiveness of services for at-risk children and their families by facilitating greater coordination and flexibility in the use of funds by state and local service providers;

(3) to provide greater accountability for prevention and early intervention services in order to demonstrate the impact or public benefit of a program by adopting outcome measures; and

(4) to assist local communities in the coordination and development of prevention and early intervention services in order to maximize federal, state, and local resources.

(b) The department's prevention and early intervention

services division must be organizationally separate from the department's divisions performing child protective services and adult protective services functions.

SECTION 1.\_\_\_\_. Subchapter A, Chapter 265, Family Code, as added by this article, is amended by adding Section 265.006 to read as follows:

Sec. 265.006. PROHIBITION ON USE OF AGENCY NAME OR LOGO.  
The department may not allow the use of the department's name or identifying logo or insignia on forms or other materials related to the department's prevention and early intervention services that are:

- (1) provided by the department's contractors; or
- (2) distributed by the department's contractors to the department's clients.

SECTION 1.\_\_\_\_. (a) Subchapter Q, Chapter 531, Government Code, including provisions amended by S.B. No. 219, Acts of the 84th Legislature, Regular Session, 2015, is transferred to Chapter 265, Family Code, redesignated as Subchapter C, Chapter 265, Family Code, and amended to read as follows:

SUBCHAPTER C [~~Q~~]. NURSE-FAMILY PARTNERSHIP COMPETITIVE  
GRANT PROGRAM

Sec. 265.101 [~~531.651~~]. DEFINITIONS. In this subchapter:

(1) "Competitive grant program" means the nurse-family partnership competitive grant program established under this subchapter.

(2) "Partnership program" means a nurse-family partnership program.

Sec. 265.102 [~~531.652~~]. OPERATION OF NURSE-FAMILY PARTNERSHIP COMPETITIVE GRANT PROGRAM. (a) The department [~~commission~~] shall operate a nurse-family partnership competitive grant program through which the department [~~commission~~] will award grants for the implementation of nurse-family partnership programs, or the expansion of existing programs, and for the operation of those programs for a period of not less than two years.

(b) The department [~~commission~~] shall award grants under the program to applicants, including applicants operating existing programs, in a manner that ensures that the partnership programs

collectively:

(1) operate in multiple communities that are geographically distributed throughout this state; and

(2) provide program services to approximately 2,000 families.

Sec. 265.103 [~~531.653~~]. PARTNERSHIP PROGRAM REQUIREMENTS. A partnership program funded through a grant awarded under this subchapter must:

(1) strictly adhere to the program model developed by the Nurse-Family Partnership National Service Office, including any clinical, programmatic, and data collection requirements of that model;

(2) require that registered nurses regularly visit the homes of low-income, first-time mothers participating in the program to provide services designed to:

(A) improve pregnancy outcomes;

(B) improve child health and development;

(C) improve family economic self-sufficiency and stability; and

(D) reduce the incidence of child abuse and neglect;

(3) require that nurses who provide services through the program:

(A) receive training from the office of the attorney general at least once each year on procedures by which a person may voluntarily acknowledge the paternity of a child and on the availability of child support services from the office;

(B) provide a mother with information about the rights, responsibilities, and benefits of establishing the paternity of her child, if appropriate;

(C) provide assistance to a mother and the alleged father of her child if the mother and alleged father seek to voluntarily acknowledge paternity of the child, if appropriate; and

(D) provide information to a mother about the availability of child support services from the office of the attorney general; and

(4) require that the regular nurse visits described by

Subdivision (2) begin not later than a mother's 28th week of gestation and end when her child reaches two years of age.

Sec. 265.104 [~~531.654~~]. APPLICATION. (a) A public or private entity, including a county, municipality, or other political subdivision of this state, may apply for a grant under this subchapter.

(b) To apply for a grant, an applicant must submit a written application to the department [~~commission~~] on a form prescribed by the department [~~commission~~] in consultation with the Nurse-Family Partnership National Service Office.

(c) The application prescribed by the department [~~commission~~] must:

(1) require the applicant to provide data on the number of low-income, first-time mothers residing in the community in which the applicant proposes to operate or expand a partnership program and provide a description of existing services available to those mothers;

(2) describe the ongoing monitoring and evaluation process to which a grant recipient is subject under Section 265.109 [~~531.659~~], including the recipient's obligation to collect and provide information requested by the department [~~commission~~] under Section 265.109(c) [~~531.659(c)~~]; and

(3) require the applicant to provide other relevant information as determined by the department [~~commission~~].

Sec. 265.105 [~~531.655~~]. ADDITIONAL CONSIDERATIONS IN AWARDING GRANTS. In addition to the factors described by Sections 265.102(b) [~~531.652(b)~~] and 265.103 [~~531.653~~], in determining whether to award a grant to an applicant under this subchapter, the department [~~commission~~] shall consider:

(1) the demonstrated need for a partnership program in the community in which the applicant proposes to operate or expand the program, which may be determined by considering:

(A) the poverty rate, the crime rate, the number of births to Medicaid recipients, the rate of poor birth outcomes, and the incidence of child abuse and neglect during a prescribed period in the community; and

(B) the need to enhance school readiness in the



community;

(2) the applicant's ability to participate in ongoing monitoring and performance evaluations under Section 265.109 [~~531.659~~], including the applicant's ability to collect and provide information requested by the department [~~commission~~] under Section 265.109(c) [~~531.659(c)~~];

(3) the applicant's ability to adhere to the partnership program standards adopted under Section 265.106 [~~531.656~~];

(4) the applicant's ability to develop broad-based community support for implementing or expanding a partnership program, as applicable; and

(5) the applicant's history of developing and sustaining innovative, high-quality programs that meet the needs of families and communities.

Sec. 265.106 [~~531.656~~]. PARTNERSHIP PROGRAM STANDARDS. The executive commissioner, with the assistance of the Nurse-Family Partnership National Service Office, shall adopt standards for the partnership programs funded under this subchapter. The standards must adhere to the Nurse-Family Partnership National Service Office program model standards and guidelines that were developed in multiple, randomized clinical trials and have been tested and replicated in multiple communities.

Sec. 265.107 [~~531.657~~]. USE OF AWARDED GRANT FUNDS. The grant funds awarded under this subchapter may be used only to cover costs related to implementing or expanding and operating a partnership program, including costs related to:

- (1) administering the program;
- (2) training and managing registered nurses who participate in the program;
- (3) paying the salaries and expenses of registered nurses who participate in the program;
- (4) paying for facilities and equipment for the program; and
- (5) paying for services provided by the Nurse-Family Partnership National Service Office to ensure a grant recipient adheres to the organization's program model.

Sec. 265.108 [~~531.658~~]. STATE NURSE CONSULTANT. Using money appropriated for the competitive grant program, the department [~~commission~~] shall hire or contract with a state nurse consultant to assist grant recipients with implementing or expanding and operating the partnership programs in the applicable communities.

Sec. 265.109 [~~531.659~~]. PROGRAM MONITORING AND EVALUATION; ANNUAL COMMITTEE REPORTS. (a) The department [~~commission~~], with the assistance of the Nurse-Family Partnership National Service Office, shall:

(1) adopt performance indicators that are designed to measure a grant recipient's performance with respect to the partnership program standards adopted by the executive commissioner under Section 265.106 [~~531.656~~];

(2) use the performance indicators to continuously monitor and formally evaluate on an annual basis the performance of each grant recipient; and

(3) prepare and submit an annual report, not later than December 1 of each year, to the Senate Health and Human Services Committee, or its successor, and the House Human Services Committee, or its successor, regarding the performance of each grant recipient during the preceding state fiscal year with respect to providing partnership program services.

(b) The report required under Subsection (a)(3) must include:

(1) the number of low-income, first-time mothers to whom each grant recipient provided partnership program services and, of that number, the number of mothers who established the paternity of an alleged father as a result of services provided under the program;

(2) the extent to which each grant recipient made regular visits to mothers during the period described by Section 265.103(4) [~~531.653(4)~~]; and

(3) the extent to which each grant recipient adhered to the Nurse-Family Partnership National Service Office's program model, including the extent to which registered nurses:

(A) conducted home visitations comparable in

frequency, duration, and content to those delivered in Nurse-Family Partnership National Service Office clinical trials; and

(B) assessed the health and well-being of mothers and children participating in the partnership programs in accordance with indicators of maternal, child, and family health defined by the department [~~commission~~] in consultation with the Nurse-Family Partnership National Service Office.

(c) On request, each grant recipient shall timely collect and provide data and any other information required by the department [~~commission~~] to monitor and evaluate the recipient or to prepare the report required by this section.

Sec. 265.110 [~~531.660~~]. COMPETITIVE GRANT PROGRAM FUNDING.

(a) The department [~~commission~~] shall actively seek and apply for any available federal funds, including federal Medicaid and Temporary Assistance for Needy Families (TANF) funds, to assist in financing the competitive grant program established under this subchapter.

(b) The department [~~commission~~] may use appropriated funds from the state government and may accept gifts, donations, and grants of money from the federal government, local governments, private corporations, or other persons to assist in financing the competitive grant program.

(b) Notwithstanding the transfer of Subchapter Q, Chapter 531, Government Code, to Chapter 265, Family Code, and redesignation as Subchapter C of that chapter, the Health and Human Services Commission shall continue to administer the Nurse-Family Partnership Competitive Grant Program under that subchapter until the date the program transfers to the Department of Family and Protective Services in accordance with Section 531.0201, Government Code, as added by this article, and the transition plan under Section 531.0204, Government Code, as added by this article.

(25) In Item (1) of the amendment, in added Section 40.0025(b)(1), Human Resources Code, after the underlined semicolon, strike "and".

(26) In Item (1) of the amendment, in added Section 40.0025(b)(2)(B), Human Resources Code, strike the underlined period and insert the following:

; and

(3) prevention and early intervention services functions, including:

(A) prevention and early intervention services as defined under Section 265.001, Family Code; and

(B) programs that:

(i) provide parent education;

(ii) promote healthier parent-child relationships; or

(iii) prevent family violence.

(27) In Item (5) of the amendment, striking SECTION 2.05(c) of the bill, in the substituted SECTION 2.05(c), strike "function is transferred to the Health and Human Services Commission in accordance" and substitute "function is transferred in accordance".

(28) In Item (9) of the amendment, striking SECTION 2.07(d) of the bill, in the substituted SECTION 2.07(d), strike "function is transferred to the Health and Human Services Commission in accordance" and substitute "function is transferred in accordance".