

By: Dukes

H.B. No. 600

A BILL TO BE ENTITLED

AN ACT

relating to child protective services and employees of the Department of Family and Protective Services.

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

SECTION 1. Chapter 61, Education Code, is amended by adding Subchapter N to read as follows:

SUBCHAPTER N. REPAYMENT ASSISTANCE FOR CERTAIN DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES EMPLOYEES

Sec. 61.731. REPAYMENT ASSISTANCE AUTHORIZED. The board shall establish a program to provide, using funds appropriated for that purpose and in accordance with this subchapter and rules of the board, assistance in the repayment of student loans for employees of the Department of Family and Protective Services who apply and qualify for the assistance.

Sec. 61.732. ELIGIBILITY. (a) To be eligible to receive repayment assistance, a person must:

(1) apply to the board; and

(2) have been employed for at least one year as, and be currently employed full-time at the Department of Family and Protective Services as:

(A) a child protective services family-based safety services caseworker;

(B) a child protective services investigator;

(C) a child-care licensing investigator or

1 inspector; or

2 (D) a residential child-care licensing
3 investigator or inspector.

4 (b) In awarding repayment assistance to first-time
5 applicants, the board shall give priority to applicants who
6 demonstrate financial need.

7 Sec. 61.733. AMOUNT OF REPAYMENT ASSISTANCE; LIMITATION.

8 (a) For each year that a person meets the eligibility requirements
9 provided by Section 61.732, the person may receive repayment
10 assistance under this subchapter in an amount determined by board
11 rule, not to exceed \$2,500.

12 (b) A person may not receive repayment assistance under this
13 subchapter for more than four years.

14 (c) If the money available for repayment assistance in a
15 period for which assistance is awarded is insufficient to provide
16 assistance to all eligible applicants described by Section
17 61.732(b), the board shall award repayment assistance to eligible
18 applicants by prioritizing awards to applicants employed in regions
19 of this state experiencing the highest turnover.

20 Sec. 61.734. ELIGIBLE LOANS. (a) The board may provide
21 repayment assistance for the repayment of any student loan for
22 education at a public or private institution of higher education,
23 including loans for undergraduate education and graduate
24 education, issued through any lender.

25 (b) The board may not provide repayment assistance for a
26 student loan that is in default at the time of the person's
27 application.

1 Sec. 61.735. REPAYMENT. (a) The board shall deliver any
2 repayment assistance made under this subchapter in a lump sum
3 directly to the lender or other holder of the loan on the person's
4 behalf and in accordance with any applicable federal law.

5 (b) Repayment assistance received under this subchapter may
6 be applied to the principal amount of the loan and to interest that
7 accrues.

8 Sec. 61.736. FUNDING. (a) The repayment assistance
9 program established by this subchapter is funded only from
10 appropriations made specifically to fund the program and from
11 gifts, grants, and donations. The board shall attempt to provide
12 repayment assistance in each state fiscal biennium in amounts
13 sufficient to use all amounts appropriated for the program in that
14 biennium.

15 (b) The board may solicit and accept gifts, grants, and
16 donations from any public or private source for the purposes of this
17 subchapter.

18 Sec. 61.737. RULES. (a) The board shall adopt rules
19 necessary for the administration of this subchapter, including a
20 rule that establishes the amount of repayment assistance awarded to
21 eligible persons each year.

22 (b) The board shall distribute to each institution of higher
23 education, the Department of Family and Protective Services, and
24 appropriate professional associations copies of the rules adopted
25 under this section and pertinent information in this subchapter.

26 SECTION 2. Chapter 101, Family Code, is amended by adding
27 Section 101.0013 to read as follows:

1 Sec. 101.0013. AGE-APPROPRIATE ACTIVITY. "Age-appropriate
2 activity" means an activity or experience that is generally
3 accepted as suitable for a child of the same chronological age or
4 level of maturity or that is determined to be developmentally
5 appropriate for a child based on the development of cognitive,
6 emotional, physical, and behavioral capacities that are typical for
7 an age or age group.

8 SECTION 3. Chapter 101, Family Code, is amended by amending
9 Section 101.0201 and adding Section 101.0202 to read as follows:

10 Sec. 101.0201. NORMALCY ACTIVITY. "Normalcy activity"
11 means an activity or experience in which a child who is not in the
12 conservatorship of the state is allowed to participate, including
13 extracurricular activities, in-school and out-of-school social
14 activities, enrichment activities, and employment opportunities.

15 Sec. 101.0202. NOTICE OF APPLICATION FOR JUDICIAL WRIT OF
16 WITHHOLDING. "Notice of application for judicial writ of
17 withholding" means the document delivered to an obligor and filed
18 with the court as required by Chapter 158 for the nonjudicial
19 determination of arrears and initiation of withholding.

20 SECTION 4. Chapter 101, Family Code, is amended by adding
21 Section 101.0253 to read as follows:

22 Sec. 101.0253. REASONABLE AND PRUDENT PARENT STANDARD.
23 "Reasonable and prudent parent standard" means the standard
24 characterized by careful and sensible parental decisions that
25 maintain the child's health, safety, and best interests.

26 SECTION 5. Section 261.3021, Family Code, is amended to
27 read as follows:

1 Sec. 261.3021. CASEWORK DOCUMENTATION AND MANAGEMENT.

2 Subject to the appropriation of money for these purposes, the
3 department shall:

4 (1) identify critical investigation actions that
5 impact child safety and require department caseworkers to document
6 those actions in a child's case file not later than the day after
7 the action occurs;

8 (2) identify and develop a comprehensive set of
9 casework quality indicators that must be reported in real time to
10 support timely management oversight;

11 (3) provide department supervisors with access to
12 casework quality indicators and train department supervisors on the
13 use of that information in the daily supervision of caseworkers;

14 (4) develop a case tracking system that:

15 (A) uses the latest technology to easily link
16 cases involving individuals in the same household by identifying
17 siblings, relatives, and other non-related adults living in the
18 home;

19 (B) includes expanded read-only access for
20 caseworkers and case coordinators;

21 (C) tracks subsequent investigations of child
22 protective services provided to children for whom caseworkers are
23 unable to determine whether abuse or neglect occurred; and

24 (D) notifies department supervisors and
25 management when a case is not progressing in a timely manner;

26 (5) use current data reporting systems to provide
27 department supervisors and management with easier access to

1 information; and

2 (6) train department supervisors and management on the
3 use of data to monitor cases and make decisions.

4 SECTION 6. Section [261.3022](#), Family Code, is amended to
5 read as follows:

6 Sec. 261.3022. CHILD SAFETY CHECK ALERT LIST. (a) Subject
7 to the availability of funds, the Department of Public Safety of the
8 State of Texas shall create a child safety check alert list as part
9 of the Texas Crime Information Center to help locate a child or the
10 child's family for purposes of:

11 (1) investigating a report of child abuse or neglect;

12 (2) providing protective services to a child whose
13 life may be at risk and whose family is receiving in-home support
14 services; or

15 (3) providing protective services to a child in the
16 managing conservatorship of the department who has run away and
17 whose life may be at risk.

18 (b) If the child safety check alert list is established and
19 the department is unable to locate a child or the child's family for
20 a purpose stated in Subsection (a) [~~purposes of investigating a~~
21 ~~report of child abuse or neglect~~], after the department has
22 exhausted all means available to the department for locating the
23 child or the child's family, the department may seek assistance
24 under this section from the appropriate [~~county attorney, district~~
25 ~~attorney, or criminal district~~] attorney with responsibility for
26 representing the department as provided by Section [264.009](#).

27 (c) If the department requests assistance, the county

1 attorney, district attorney, or criminal district attorney, as
2 applicable, may file an application with the court requesting the
3 issuance of an ex parte order requiring the Texas Crime Information
4 Center to place the child or the members of the child's family whom
5 the department is attempting to locate on a child safety check alert
6 list. The application must include a summary of:

7 (1) either:

8 (A) the report of child abuse or neglect the
9 department is attempting to investigate; or

10 (B) the circumstances in a case described by
11 Subsection (a)(2) or (3) that cause a child to be at a substantial
12 risk of harm because the child or family cannot be located; and

13 (2) the department's efforts to locate the child or the
14 child's family.

15 (d) If the court determines after a hearing that the family
16 cannot be located to investigate a report of child abuse or neglect
17 or that a child is at risk of substantial harm because the child or
18 family cannot be located and that the department has exhausted all
19 means available to the department for locating the child or the
20 child's family, as applicable, the court shall approve the
21 application and order the appropriate law enforcement agency to
22 notify the Texas Crime Information Center to place the child or the
23 child's family, as applicable, on a child safety check alert list.

24 The alert list must include:

25 (1) if applicable, the name of the family member
26 alleged to have abused or neglected a child according to the report
27 the department is attempting to investigate;

1 (2) the name of the child who is the subject of the
2 report or an ongoing department case;

3 (3) if applicable, a code identifying the type of
4 child abuse or neglect alleged to have been committed against the
5 child;

6 (4) the family's last known address; and

7 (5) the minimum criteria for an entry as established
8 by the center.

9 SECTION 7. Section 261.3023(a), Family Code, is amended to
10 read as follows:

11 (a) If a law enforcement officer encounters a person,
12 including a child, listed on the Texas Crime Information Center's
13 child safety check alert list [~~who is alleged to have abused or~~
14 ~~neglected a child, or encounters a child listed on the alert list~~
15 ~~who is the subject of a report of child abuse or neglect the~~
16 ~~department is attempting to investigate], the officer shall request
17 information from the person or the child regarding the child's
18 well-being and current residence. The officer shall immediately
19 report that the person or child has been located and the location of
20 the person or child by calling the toll-free telephone number
21 operated by the department to receive reports of child abuse or
22 neglect.~~

23 SECTION 8. Section 261.3024(a), Family Code, is amended to
24 read as follows:

25 (a) A law enforcement officer who locates a child listed on
26 the Texas Crime Information Center's child safety check alert list
27 [~~who is the subject of a report of child abuse or neglect the~~

1 ~~department is attempting to investigate]~~ and who reports the
2 child's current address and other relevant information to the
3 department under Section 261.3023 shall report to the Texas Crime
4 Information Center that the child has been located.

5 SECTION 9. Section 261.3126(a), Family Code, is amended to
6 read as follows:

7 (a) In each county, to the extent possible, the department
8 and the local law enforcement agencies that investigate child abuse
9 in the county shall colocate in the same offices investigators from
10 the department and the law enforcement agencies to improve the
11 efficiency of child abuse investigations. With approval of the
12 local children's advocacy center and its partner agencies, in each
13 county in which a children's advocacy center established under
14 Section 264.402 is located, the department shall attempt to locate
15 investigators from the department and county and municipal law
16 enforcement agencies at the center and to increase the number of
17 department investigators located at a center if the rate of
18 retention for investigators at that center exceeds the retention
19 rate of investigators located in other offices.

20 SECTION 10. Section 263.102(a), Family Code, is amended to
21 read as follows:

22 (a) The service plan must:
23 (1) be specific;
24 (2) be in writing in a language that the parents
25 understand, or made otherwise available;
26 (3) be prepared by the department or other agency in
27 conference with the child's parents;

- 1 (4) state appropriate deadlines;
- 2 (5) state whether the goal of the plan is:
 - 3 (A) return of the child to the child's parents;
 - 4 (B) termination of parental rights and placement
5 of the child for adoption; or
 - 6 (C) because of the child's special needs or
7 exceptional circumstances, continuation of the child's care out of
8 the child's home;
- 9 (6) state steps that are necessary to:
 - 10 (A) return the child to the child's home if the
11 placement is in foster care;
 - 12 (B) enable the child to remain in the child's
13 home with the assistance of a service plan if the placement is in
14 the home under the department's or other agency's supervision; or
 - 15 (C) otherwise provide a permanent safe placement
16 for the child;
- 17 (7) state the actions and responsibilities that are
18 necessary for the child's parents to take to achieve the plan goal
19 during the period of the service plan and the assistance to be
20 provided to the parents by the department or other authorized
21 agency toward meeting that goal;
- 22 (8) state any specific skills or knowledge that the
23 child's parents must acquire or learn, as well as any behavioral
24 changes the parents must exhibit, to achieve the plan goal;
- 25 (9) state the actions and responsibilities that are
26 necessary for the child's parents to take to ensure that the child
27 attends school and maintains or improves the child's academic

1 compliance;

2 (10) state the name of the person with the department
3 or other agency whom the child's parents may contact for
4 information relating to the child if other than the person
5 preparing the plan; ~~and~~

6 (11) provide for the elimination of impediments to the
7 child's participation in age-appropriate normalcy activities; and

8 (12) prescribe any other term or condition that the
9 department or other agency determines to be necessary to the
10 service plan's success.

11 SECTION 11. Section 263.105, Family Code, is amended by
12 adding Subsection (b-1) to read as follows:

13 (b-1) As part of the review under Subsection (b), the court
14 shall ensure that the child's caregiver under the plan understands:

15 (1) the importance of the child's participation in
16 age-appropriate normalcy activities; and

17 (2) the flexibility the reasonable and prudent parent
18 standard provides the caregiver in approving the child's
19 participation in normalcy activities.

20 SECTION 12. Section 263.306, Family Code, is amended by
21 adding Subsection (c) to read as follows:

22 (c) At each permanency hearing, the court shall review the
23 efforts of the department in ensuring that:

24 (1) the child's caregiver is following the reasonable
25 and prudent parent standard; and

26 (2) the child has regular, ongoing opportunities to
27 engage in age-appropriate normalcy activities, including

1 activities not listed in the child's service plan.

2 SECTION 13. Section 263.503, Family Code, is amended by
3 adding Subsection (c) to read as follows:

4 (c) At each placement review hearing, the court shall review
5 the efforts of the department in ensuring that:

6 (1) the child's caregiver is following the reasonable
7 and prudent parent standard; and

8 (2) the child has regular, ongoing opportunities to
9 engage in age-appropriate normalcy activities, including
10 activities not listed in the child's service plan.

11 SECTION 14. Section 264.015, Family Code, is amended by
12 adding Subsection (d) to read as follows:

13 (d) In the training for prospective foster parents and in
14 the annual training for foster parents, the department shall
15 include programs to address the potential impact on the family of
16 providing foster care and to recommend methods for maintaining
17 household stability, including respite care and stress relief
18 techniques.

19 SECTION 15. Section 264.114, Family Code, is amended by
20 adding Subsection (c) to read as follows:

21 (c) A foster parent, relative or other designated
22 caregiver, or other substitute caregiver caring for a child in the
23 department's managing conservatorship is not liable for harm caused
24 to the child that results from the child's participation in an
25 age-appropriate activity approved by the caregiver if the caregiver
26 acted in the same manner as a reasonable and prudent parent would in
27 approving the child's participation in the activity.

1 SECTION 16. Section 264.121(f), Family Code, as amended by
2 Chapters 168 (S.B. 1589) and 342 (H.B. 2111), Acts of the 83rd
3 Legislature, Regular Session, 2013, is reenacted and amended to
4 read as follows:

5 (f) The department shall require a person with whom the
6 department contracts for transitional living services for foster
7 youth to provide or assist youth in obtaining:

8 (1) housing services;

9 (2) job training and employment services;

10 (3) college preparation services beginning at age 14;

11 (4) services that will assist youth in obtaining a
12 general education development certificate;

13 (5) services that will assist youth in developing
14 skills in food preparation;

15 (6) nutrition education that promotes healthy food
16 choices; ~~and~~

17 (7) ~~[(5)]~~ a savings or checking account if the youth
18 is at least 18 years of age and has a source of income; and

19 (8) ~~[(7)]~~ any other appropriate transitional living
20 service identified by the department.

21 SECTION 17. Sections 264.123(a) and (d), Family Code, are
22 amended to read as follows:

23 (a) If a child in the department's managing conservatorship
24 is missing from the child's substitute care provider, including a
25 child who is abducted or is a runaway, the department shall notify
26 the following persons and entities that the child is missing:

27 (1) the appropriate law enforcement agencies;

1 (2) the court with jurisdiction over the department's
2 managing conservatorship of the child;

3 (3) the child's attorney ad litem;

4 (4) the child's guardian ad litem; ~~and~~

5 (5) the child's parent unless the parent:

6 (A) cannot be located or contacted;

7 (B) has had the parent's parental rights
8 terminated; or

9 (C) has executed an affidavit of relinquishment
10 of parental rights; and

11 (6) the National Center for Missing and Exploited
12 Children.

13 (d) The department shall make continuing efforts to
14 determine the location of a missing child until the child returns to
15 substitute care, including:

16 (1) contacting on a monthly basis:

17 (A) the appropriate law enforcement agencies;

18 (B) the child's relatives;

19 (C) the child's former caregivers; and

20 (D) any state or local social service agency that
21 may be providing services to the child; ~~and~~

22 (2) conducting a supervisory-level review of the case
23 on a quarterly basis if the child is 15 years of age or younger to
24 determine whether sufficient efforts have been made to locate the
25 child and whether other action is needed; and

26 (3) appointing a special investigator to assist in
27 locating the child and in investigating the events affecting the

1 child that occurred while the child was missing.

2 SECTION 18. Subchapter B, Chapter 264, Family Code, is
3 amended by adding Section 264.126 to read as follows:

4 Sec. 264.126. NORMALCY ACTIVITIES; REASONABLE AND PRUDENT
5 PARENT STANDARD. (a) The department shall use its best efforts to
6 normalize the lives of children in the managing conservatorship of
7 the department and to allow substitute caregivers to make
8 decisions, similar to the decisions that a parent is entitled to
9 make, regarding the child's participation in age-appropriate
10 normalcy activities without the department's prior approval.

11 (b) A substitute caregiver shall use a reasonable and
12 prudent parent standard in determining whether to permit a child in
13 the conservatorship of the department to participate in an
14 activity. When making a decision according to the reasonable and
15 prudent parent standard, the caregiver must consider:

16 (1) the overall health and safety of the child and the
17 child's age, maturity, and development level;

18 (2) any potential risk factors and the appropriateness
19 of the activity;

20 (3) the best interest of the child based on the
21 caregiver's knowledge of the child;

22 (4) the importance of encouraging the child's social,
23 emotional, and developmental growth;

24 (5) the importance of providing the child with the
25 most family-like living experience possible; and

26 (6) the behavioral history of the child and the child's
27 ability to safely participate in the proposed activity.

1 (c) The department shall verify that substitute caregivers
2 providing substitute care services under contract with the
3 department:

4 (1) promote and protect the ability of a child to
5 participate in age-appropriate normalcy activities; and

6 (2) implement policies consistent with this section.

7 (d) The department shall review its policies and procedures
8 to identify policies and procedures that impede a substitute
9 caregiver's ability to make reasonable and prudent parenting
10 decisions and shall adopt new policies that promote a substitute
11 caregiver's ability to make reasonable and prudent parenting
12 decisions.

13 (e) The department shall require a child's substitute
14 caregiver to complete training on:

15 (1) decision-making as a reasonable and prudent
16 parent;

17 (2) appropriate and trauma-informed procedures for
18 addressing a child's misbehavior; and

19 (3) the importance of a child's participation in
20 age-appropriate normalcy activities and the benefits of
21 participation to a child's social, emotional, and developmental
22 growth, well-being, and mental health.

23 SECTION 19. Section 264.408(c), Family Code, is amended to
24 read as follows:

25 (c) The department, a law enforcement agency, and a
26 prosecuting attorney may share with a center or a statewide child
27 advocacy center organization information that is confidential

1 under Section 261.201 as needed to provide services under this
2 chapter. Confidential information shared with or provided to a
3 center or organization remains the property of the agency that
4 shared or provided the information to the center or organization.

5 SECTION 20. Section 264.503, Family Code, is amended by
6 adding Subsection (f-1) to read as follows:

7 (f-1) The Department of State Health Services shall
8 identify opportunities for improving the information provided in
9 the report under Subsection (f) and, in areas of this state where a
10 review team is not established, shall monitor the impact on that
11 area of inadequate services.

12 SECTION 21. Section 264.852, Family Code, is amended by
13 adding Subsection (e) to read as follows:

14 (e) The department shall provide to a foster child's
15 relative, or other adult with whom that child has a longstanding and
16 significant relationship, with whom the child is residing
17 information about qualifying and becoming licensed or verified by
18 the department as a kinship provider.

19 SECTION 22. Chapter 265, Family Code, is amended by adding
20 Sections 265.005, 265.006, and 265.007 to read as follows:

21 Sec. 265.005. EVALUATION OF SERVICES. (a) The department
22 shall establish a process to identify each child or family member
23 who receives prevention and early intervention services and
24 subsequent child protective services and evaluate the success of
25 the prevention and early intervention services initially provided.

26 (b) The department shall use the information obtained
27 through the evaluation process to determine and provide the most

1 intensive prevention and early intervention services to children
2 and families who are determined most at risk for abuse and neglect
3 and most in need of the services.

4 Sec. 265.006. HEALTHY OUTCOMES THROUGH PREVENTION AND EARLY
5 SUPPORT (HOPES) AND HELP THROUGH INTERVENTION AND PREVENTION (HIP)
6 PROJECTS. (a) The department shall establish:

7 (1) a healthy outcomes through prevention and early
8 support (HOPES) project to provide, in communities selected by the
9 department, flexible, community-based child abuse and neglect
10 prevention programs to families of children under five years of age
11 who are at risk of abuse and neglect; and

12 (2) a help through intervention and prevention (HIP)
13 project to provide voluntary extensive family assessment, home
14 visitation, and education services to families at risk for abuse
15 and neglect to increase protection of the child and prevent child
16 abuse.

17 (b) Not later than December 1 of each even-numbered year,
18 the department shall submit electronically to each legislative
19 committee with jurisdiction over child protective services a report
20 on the department's efforts and strategies to expand the services
21 provided under Subsection (a) to additional areas in this state and
22 to populations identified as being at higher risk for abuse and
23 neglect.

24 Sec. 265.007. IDENTIFICATION OF FUNDING OPPORTUNITIES. The
25 department shall collaborate with the Department of State Health
26 Services to identify additional funding opportunities for children
27 and families receiving prevention and early intervention services

1 to address individual and community factors that contribute to
2 parental substance abuse and domestic violence in those families.

3 SECTION 23. Section 40.032(c), Human Resources Code, is
4 amended to read as follows:

5 (c) The executive director or the executive director's
6 designated representative shall develop a system of annual
7 performance evaluations based on measurable job tasks. All merit
8 pay for department employees must be based on the system
9 established under this subsection. The department's retention
10 strategies for child protective services caseworkers may include
11 merit-based advancement opportunities for caseworkers and coaching
12 or corrective action procedures to address deficient performance
13 evaluations without negatively impacting merit eligibility.

14 SECTION 24. Subchapter B, Chapter 40, Human Resources Code,
15 is amended by adding Section 40.03211 to read as follows:

16 Sec. 40.03211. SALARY SUPPLEMENT PILOT PROJECT FOR CHILD
17 PROTECTIVE SERVICES CASEWORKERS. (a) The department may establish
18 a pilot project to supplement the salary of a child protective
19 services caseworker based on the average salary for similar
20 positions in the area of the employee's assigned place of
21 employment, the extent to which the caseworker's salary meets
22 cost-of-living expenses in that area, and other location factors.

23 (b) Section 659.020, Government Code, does not apply to the
24 supplement authorized by this section.

25 SECTION 25. Subchapter B, Chapter 40, Human Resources Code,
26 is amended by adding Sections 40.0328 and 40.0329 to read as
27 follows:

1 Sec. 40.0328. CHILD PROTECTIVE SERVICES CASEWORKERS. (a)

2 The department shall periodically restructure the duties of
3 caseworkers as necessary to maintain the safety of children in
4 child protective services, increase the time a caseworker spends
5 with children, prioritize the time required to effectively address
6 cases above caseload, and successfully manage child protective
7 services caseloads.

8 (b) The department shall:

9 (1) create a streamlined child protective services
10 policy handbook to assist caseworkers in understanding their
11 duties;

12 (2) establish caseworker support centers to provide
13 administrative support to the caseworkers;

14 (3) increase the number of support staff for
15 investigation units to be separately located from other
16 investigation units;

17 (4) develop information resources to assist
18 caseworkers and their supervisors in prioritizing caseworker time;
19 and

20 (5) assign master caseworkers to areas with high
21 caseworker vacancy numbers or case numbers.

22 (c) The department shall require a caseworker each month to
23 report a face-to-face visit with each foster child assigned to the
24 caseworker.

25 Sec. 40.0329. DISRUPTION SPECIALISTS. The department shall
26 designate as disruption specialists a sufficient number of
27 personnel to provide family group conference services, support

1 timely intervention efforts that reduce preventable placement
2 disruptions, and more frequently use family team meetings to engage
3 the family and community in making critical child-placing
4 decisions.

5 SECTION 26. Subchapter C, Chapter 40, Human Resources Code,
6 is amended by adding Section 40.0565 to read as follows:

7 Sec. 40.0565. REGIONAL YOUTH LEADERSHIP COUNCILS. The
8 department shall establish and fund regional youth leadership
9 councils. The department shall include the councils in making
10 decisions related to creating stable environments for foster
11 children.

12 SECTION 27. Section 40.058(c), Human Resources Code, is
13 amended to read as follows:

14 (c) The department shall monitor a contractor's performance
15 under a contract for the purchase of program-related client
16 services. In monitoring performance, the department shall:

17 (1) use a risk-assessment methodology that employs
18 empirically driven predictive analytics to monitor the contracts
19 and ensure compliance with financial and performance requirements
20 under the contract; and

21 (2) obtain and evaluate program cost information to
22 ensure that all costs, including administrative costs, are
23 reasonable and necessary to achieve program objectives.

24 SECTION 28. Subchapter C, Chapter 40, Human Resources Code,
25 is amended by adding Section 40.075 to read as follows:

26 Sec. 40.075. RECORDS RETENTION. The department shall
27 retain child protective services records as follows:

1 (1) for cases in which the department has reason to
2 believe a child was abused or neglected and the child was removed
3 from the child's home, 50 years;

4 (2) for cases in which the department has reason to
5 believe a child was abused or neglected, the designated perpetrator
6 of the abuse or neglect appeals the department's findings, and the
7 findings are substantiated, 20 years;

8 (3) for cases in which the department has reason to
9 believe a child was abused or neglected, the department is unable to
10 determine whether the abuse or neglect happened or is unable to
11 complete the investigation, and the child remains in the child's
12 home, 20 years; and

13 (4) for cases in which the department rules out abuse
14 or neglect and the department's risk assessment indicates a
15 significant level of risk remains with the family, no significant
16 risks exist within the family, or the risk factors within the family
17 are controlled, five years.

18 SECTION 29. Section 42.053, Human Resources Code, is
19 amended by adding Subsection (e) to read as follows:

20 (e) A licensed child-placing agency shall conduct an annual
21 home study for each agency foster home or agency foster group home
22 operated by the agency.

23 SECTION 30. As soon as practicable after the effective date
24 of this Act, the executive commissioner of the Health and Human
25 Services Commission shall adopt the necessary rules and policies
26 and the Department of Family and Protective Services shall develop
27 the procedures and take the steps necessary to implement the

1 changes in law made by this Act.

2 SECTION 31. The Texas Higher Education Coordinating Board
3 shall adopt the rules for the repayment assistance program under
4 Subchapter N, Chapter 61, Education Code, as added by this Act, not
5 later than December 1, 2015.

6 SECTION 32. To the extent of any conflict, this Act prevails
7 over another Act of the 84th Legislature, Regular Session, 2015,
8 relating to nonsubstantive additions to and corrections in enacted
9 codes.

10 SECTION 33. This Act takes effect September 1, 2015.