

AN ACT

relating to caregiver screening and training by substitute care providers for children in the conservatorship of the Department of Family and Protective Services.

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

SECTION 1. Section 40.058, Human Resources Code, is amended by adding Subsections (f), (g), and (h) to read as follows:

(f) A contract for residential child-care services provided by a general residential operation or by a child-placing agency must include provisions that:

(1) enable the department to monitor the effectiveness of the services;

(2) specify performance outcomes;

(3) authorize the department to terminate the contract or impose sanctions for a violation of a provision of the contract that specifies performance criteria;

(4) authorize the department, an agent of the department, and the state auditor to inspect all books, records, and files maintained by a contractor relating to the contract; and

(5) are necessary, as determined by the department, to ensure accountability for the delivery of services and for the expenditure of public funds.

(g) A contract with a private agency for the provision of substitute care or case management services for a child must

1 include provisions that require the agency to provide access to the
2 agency's information and records relating to the child to the
3 child's attorney ad litem and guardian ad litem.

4 (h) In contracting with licensed child-placing agencies for
5 residential child-care services, the department shall:

6 (1) determine and evaluate, using best practice
7 standards, the home screening, assessment, and preservice training
8 requirements used by substitute care providers before the
9 verification and approval of caregivers, including:

10 (A) risk assessment evaluations used; and

11 (B) the curriculum and models used and topics
12 covered in caregiver training; and

13 (2) publish on the department's Internet website the
14 information collected by the department regarding the curriculum
15 and training models used and topics covered during caregiver
16 training by substitute care providers.

17 SECTION 2. Subchapter C, Chapter 42, Human Resources Code,
18 is amended by adding Section 42.0537 to read as follows:

19 Sec. 42.0537. CAREGIVER TRAINING REQUIREMENT. (a) The
20 department shall include a provision in each contract with a
21 child-placing agency with whom children in the managing
22 conservatorship of the department are placed that requires the
23 child-placing agency to provide at least 35 hours of
24 competency-based, preservice training to a potential caregiver
25 before the child-placing agency verifies or approves the caregiver
26 as a foster or adoptive home.

27 (b) The department shall adopt policies to ensure that each

1 potential caregiver receives at least 35 hours of competency-based,
2 preservice training before the department verifies or approves the
3 caregiver as a foster or adoptive home.

4 (c) The training required by this section does not apply to
5 an individual who has been designated as a kinship caregiver and who
6 is pursuing verification or licensure as a foster parent or
7 approval as an adoptive parent.

8 SECTION 3. The preservice training requirement under
9 Section 42.0537, Human Resources Code, as added by this Act, does
10 not apply to an individual who was verified or approved as a
11 caregiver by a substitute care provider before the effective date
12 of this Act or to an individual who is in the process of being
13 verified or approved as a caregiver by a substitute care provider on
14 the effective date of this Act.

15 SECTION 4. This Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 781 was passed by the House on April 16, 2015, by the following vote: Yeas 144, Nays 2, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 781 on May 28, 2015, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 781 was passed by the Senate, with amendments, on May 26, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor