

House Bill 781
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

(A) risk assessment evaluations used; and

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

SENATE VERSION (CS)

SECTION 1. Same as House version.

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

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

Sec. 42.0537. CAREGIVER TRAINING REQUIREMENT.

(a) The department shall include a provision in each contract with a child-placing agency with whom children in the managing conservatorship of the department are placed that requires the child-placing agency to provide at least 35 hours of competency-based, preservice training to a potential caregiver before the child-placing agency verifies or approves the caregiver as a foster or adoptive home.

(b) The department shall adopt policies to ensure that each potential caregiver receives at least 35 hours of competency-based, preservice training before the department verifies or approves the caregiver as a foster or adoptive home.

SECTION 3. Section 40.058(b-1), Human Resources Code, is repealed.

SECTION 4. The preservice training requirement under

SENATE VERSION (CS)

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

Sec. 42.0537. CAREGIVER TRAINING REQUIREMENT.

(a) The department shall include a provision in each contract with a child-placing agency with whom children in the managing conservatorship of the department are placed that requires the child-placing agency to provide at least 35 hours of competency-based, preservice training to a potential caregiver before the child-placing agency verifies or approves the caregiver as a foster or adoptive home.

(b) The department shall adopt policies to ensure that each potential caregiver receives at least 35 hours of competency-based, preservice training before the department verifies or approves the caregiver as a foster or adoptive home.

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

No equivalent provision.

SECTION 3. The preservice training requirement under

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Section 42.0537, Human Resources Code, as added by this Act, does not apply to an individual who was verified or approved as a caregiver by a substitute care provider before the effective date of this Act, to an individual who is in the process of being verified or approved as a caregiver by a substitute care provider on the effective date of this Act, or to an individual who has been designated as a kinship caregiver and who, on the effective date of this Act, is pursuing verification or licensure as a foster parent or approval as an adoptive parent with the Department of Family and Protective Services.

SECTION 5. This Act takes effect September 1, 2015.

SENATE VERSION (CS)

Section 42.0537, Human Resources Code, as added by this Act, does not apply to an individual who was verified or approved as a caregiver by a substitute care provider before the effective date of this Act or to an individual who is in the process of being verified or approved as a caregiver by a substitute care provider on the effective date of this Act.

SECTION 4. Same as House version.

CONFERENCE