

Amend Amendment No. 35 by Leach to **CSHB 7** (page 22, prefiled amendment packet) by adding the following appropriately numbered items:

(____) Strike page 12, line 23 through page 15, line 22, and substitute the following:

SECTION _____. (a) Section 263.306(a-1), Family Code, is amended to conform to the amendment of Section 263.306(a), Family Code, by Chapter 697 (**HB 825**), Acts of the 84th Legislature, Regular Session, 2015, to read as follows:

(a-1) At each permanency hearing before a final order is rendered, the court shall:

(1) identify all persons and parties present at the hearing, determine whether the child's caregiver is present, and allow the caregiver to testify if the caregiver wishes to provide information about the child;

(2) review the efforts of the department or other agency in:

(A) locating and requesting service of citation on all persons entitled to service of citation under Section 102.009; and

(B) obtaining the assistance of a parent in providing information necessary to locate an absent parent, alleged father, or relative of the child;

(3) ask all parties present whether the child or the child's family has a Native American heritage and identify any Native American tribe with which the child may be associated;

(4) review the extent of the parties' compliance with temporary orders and the service plan and the extent to which progress has been made toward alleviating or mitigating the causes necessitating the placement of the child in foster care;

(5) [~~(4)~~] review the permanency progress report to determine:

(A) the safety and well-being of the child and whether the child's needs, including any medical or special needs, are being adequately addressed;

(B) the continuing necessity and appropriateness of the placement of the child, including with respect to a child who

has been placed outside of this state, whether the placement continues to be in the best interest of the child;

(C) the appropriateness of the primary and alternative permanency goals for the child developed in accordance with department rule and whether the department has made reasonable efforts to finalize the permanency plan, including the concurrent permanency goals, in effect for the child;

(D) whether the child has been provided the opportunity, in a developmentally appropriate manner, to express the child's opinion on any medical care provided;

(E) for a child receiving psychotropic medication, whether the child:

(i) has been provided appropriate nonpharmacological interventions, therapies, or strategies to meet the child's needs; or

(ii) has been seen by the prescribing physician, physician assistant, or advanced practice nurse at least once every 90 days;

(F) whether an education decision-maker for the child has been identified, the child's education needs and goals have been identified and addressed, and there have been major changes in the child's school performance or there have been serious disciplinary events;

(G) for a child 14 years of age or older, whether services that are needed to assist the child in transitioning from substitute care to independent living are available in the child's community; and

(H) for a child whose permanency goal is another planned permanent living arrangement:

(i) the desired permanency outcome for the child, by asking the child; and

(ii) whether, as of the date of the hearing, another planned permanent living arrangement is the best permanency plan for the child and, if so, provide compelling reasons why it continues to not be in the best interest of the child to:

(a) return home;

(b) be placed for adoption;

(c) be placed with a legal guardian;
or

(d) be placed with a fit and willing
relative;

(6) [~~(5)~~] determine whether to return the child to the child's parents if the child's parents are willing and able to provide the child with a safe environment and the return of the child is in the child's best interest;

(7) [~~(6)~~] estimate a likely date by which the child may be returned to and safely maintained in the child's home, placed for adoption, or placed in permanent managing conservatorship; and

(8) [~~(7)~~] announce in open court the dismissal date and the date of any upcoming hearings.

(b) Section 263.306(c), Family Code, is amended to conform to the amendment of Section 263.306, Family Code, by Chapter 944 (SB 206), Acts of the 84th Legislature, Regular Session, 2015, to read as follows:

(c) In addition to the requirements of Subsection (a-1) [~~(a)~~], at each permanency hearing the court shall review the department's efforts to ensure that the child has regular, ongoing opportunities to engage in age-appropriate normalcy activities, including activities not listed in the child's service plan.

(c) Section 263.306(a), Family Code, is repealed to conform to the repeal of Section 263.306(a), Family Code, by Chapter 944 (SB 206), Acts of the 84th Legislature, Regular Session, 2015.

(____) On page 19, line 26, between "hearing" and the semicolon, insert ", determine whether the child's caregiver is present, and allow the caregiver to testify if the caregiver wishes to provide information about the child".