

By: Price

H.B. No. 1542

A BILL TO BE ENTITLED

AN ACT

relating to the definition of the least restrictive environment for the placement of children in foster care.

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

SECTION 1. Section 263.001(a), Family Code, is amended by amending Subdivision (3-a) and adding Subdivision (3-b) to read as follows:

(3-a) "Least restrictive environment" means a placement for a child that, in comparison to all other available placements:

(A) is the closest in geographic proximity to the child's home; and

(B) is the most able to meet the identified needs of the child.

(3-b) "Physician assistant" has the meaning assigned by Section 157.051, Occupations Code.

SECTION 2. Section 263.001, Family Code, is amended by adding Subsection (c) to read as follows:

(c) With respect to a child designated by the department as a child who needs basic or moderate services, the least restrictive environment requires placement in a foster home or a general residential operation operating as a cottage home.

SECTION 3. Section 264.001, Family Code, is amended by adding Subdivision (3-a) to read as follows:

1 (3-a) "Least restrictive environment" means a
2 placement for a child that, in comparison to all other available
3 placements:

4 (A) is the closest in geographic proximity to the
5 child's home; and

6 (B) is the most able to meet the identified needs
7 of the child.

8 SECTION 4. Section 264.107, Family Code, is amended by
9 adding Subsection (c) to read as follows:

10 (c) The department shall place a child designated by the
11 department as a child who needs basic or moderate services in the
12 least restrictive environment necessary to meet the child's needs.
13 Placement of a child in the least restrictive environment requires
14 placement in a foster home or a general residential operation
15 operating as a cottage home.

16 SECTION 5. This Act takes effect September 1, 2017.