86R621 MCK-F

By:  Raymond H.B. No. 1084

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the committee on licensing standards in the Department of Family and Protective Services.

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

SECTION 1.  Subchapter B, Chapter 42, Human Resources Code, is amended by adding Section 42.0221 to read as follows:

Sec. 42.0221.  COMMITTEE ON LICENSING STANDARDS. (a) The committee on licensing standards is composed of nine members appointed by the governor as follows:

(1)  one member who operates a residential child-care facility licensed by the department;

(2)  one member who operates a child-placing agency licensed by the department;

(3)  one member who operates a licensed child-care facility that provides child care for less than 24 hours a day;

(4)  one member who is a parent, guardian, or custodian of a child who uses a facility licensed by the department;

(5)  one member who is an expert in the field of child care and child development;

(6)  two members employed by the department who work with facilities licensed by the department; and

(7)  two members who represent child advocacy organizations.

(b)  Committee members serve two-year terms, with the terms of four or five members, as appropriate, expiring February 1 of each year.

(c)  The governor shall designate a committee member to serve as the presiding officer of the committee.

(d)  The committee shall meet twice a year at the call of the presiding officer.

(e)  The committee shall review and analyze the information provided by the department and committee members and shall make recommendations for policy and statutory changes relating to licensing standards and facility inspections. The review and analysis by the committee must include the analysis of:

(1)  the deaths of children who are in substitute care, including reports and findings of child fatality review teams under Subchapter F, Chapter 264, Family Code;

(2)  the types of licensing violations for each category of weighted risk assigned to licensing standards and rules and each region;

(3)  the details of administrative reviews and appeals; and

(4)  the type of technical assistance provided to license holders and facilities and the qualifications of the persons providing the technical assistance.

(f)  The committee shall review and analyze nationwide best practices of child-care providers and other state standards related to staff-to-child ratios and group sizes applicable to nonresidential child-care facilities that provide care for less than 24 hours a day and make recommendations to the department for policy and statutory changes related to the ratios and group sizes.

(g)  From the recommendations provided under Subsection (f), the department shall annually reduce the maximum number of children one or more caregivers may supervise in nonresidential child-care facilities that provide care for less than 24 hours a day subject to the following limitations:

(1)  the number of children may not exceed the maximum number of children one or more caregivers may supervise as established in the department's proposed rules published in the Texas Register on June 11, 2010;

(2)  the maximum number of children may not be reduced by more than three for each age group; and

(3)  the maximum number of children ages 17 months of age and younger may not be reduced.

(h)  The committee shall report its findings and recommendations to the department and the legislature not later than December 1 of each year.

(i)  This section expires September 1, 2023.

SECTION 2.  Not later than October 1, 2019, the governor shall appoint nine members to the committee on licensing standards as provided by Section 42.0221, Human Resources Code, as added by this Act. The initial members of the committee on licensing standards appointed under this section shall draw lots to determine which members will serve terms expiring February 1, 2020, and which members will serve terms expiring February 1, 2021.

SECTION 3.  This Act takes effect September 1, 2019.