

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

1 of four or five members, as appropriate, expiring February 1 of each
2 year.

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

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

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

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

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

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

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

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

1 policy and statutory changes related to the ratios and group sizes.

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

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

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

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

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

18 (i) This section expires September 1, 2023.

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

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