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H.B. No. 3950

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the child welfare task force and provision of services in the child welfare system.

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

SECTION 1. (a) In this section:

(1) "Commission" means the Health and Human Services Commission.

(2) "Community-based care" has the meaning assigned by Section [264.152](#), Family Code.

(3) "Department" means the Department of Family and Protective Services.

(4) "Task force" means the child welfare task force.

(b) The child welfare task force is established to develop a statewide plan for the continued implementation of community-based care and the implementation of family preservation and other related prevention services for the state's child welfare system.

(c) The task force is composed of nine voting members as follows:

(1) three members appointed by the governor;

(2) three members of the senate, appointed by the lieutenant governor; and

(3) three members of the house of representatives, appointed by the speaker of the house of representatives.

(d) The chair and the vice chair of the task force shall be

1 elected by members of the task force.

2 (e) A task force member is not entitled to compensation for
3 service on the task force but is entitled to reimbursement for
4 actual and necessary expenses incurred in performing task force
5 duties. The task force may accept gifts, grants, and donations to
6 pay for those expenses.

7 (f) The task force shall meet at least quarterly at the call
8 of the chair and may consider public testimony.

9 (g) Notwithstanding Chapter 551, Government Code, or any
10 other law, the task force may meet by telephone conference call,
11 videoconference, or other similar telecommunication method. A
12 meeting held by telephone conference call, videoconference, or
13 other similar telecommunication method is subject to the
14 requirements of Sections 551.125(c), (d), (e), and (f), Government
15 Code.

16 (h) The task force shall develop a statewide plan for the
17 continued implementation of community-based care and the
18 implementation of family preservation and other related prevention
19 services for the state's child welfare system.

20 (i) The statewide plan must:

21 (1) identify sources of funding, including the
22 development of a robust financial methodology, for the continued
23 implementation of community-based care and family preservation and
24 other related prevention services;

25 (2) include a timeline for the complete implementation
26 of the statewide plan developed by the task force and identify
27 additional resources the department will require to meet that

1 timeline, including enhanced training related to procurement,
2 contract monitoring and enforcement services, information
3 technology services, and financial and legal services;

4 (3) identify barriers to using federal and state money
5 and necessary purchased services to achieve greater numbers of
6 children and youth who remain safely with their families by
7 reviewing and effectively maximizing:

8 (A) the prevention and early intervention
9 services currently available in this state; and

10 (B) any services relating to families entering
11 the child protective services system;

12 (4) identify all sources of flexible funding under
13 federal and state law that may be used to support the continued
14 implementation of community-based care and family preservation and
15 other related prevention services, including the following
16 implementation issues:

17 (A) the placement of children in settings
18 eligible for federal financial participation under the
19 requirements of the federal Family First Prevention Services Act
20 (Title VII, Div. E, Pub. L. No. 115-123);

21 (B) any costs related to the use of federal money
22 transferred under the federal Family First Prevention Services Act;
23 and

24 (C) any other beneficial programs or services
25 available under the federal Family First Prevention Services Act;
26 and

27 (5) identify legislative or regulatory barriers to

1 full implementation of community-based care.

2 (j) The task force may request relevant information from the
3 commission, the department, or other relevant state agencies, and
4 the commission, the department, or other agencies shall comply with
5 the request, unless the provision of the information is prohibited
6 by state or federal law.

7 (k) The task force, using available resources, may:

8 (1) contract with a third-party consultant using the
9 procedures under Subchapter B, Chapter 2254, Government Code, to
10 assist the task force in carrying out its duties; and

11 (2) employ a full-time staff.

12 (l) The task force is administratively attached to the
13 commission for the purpose of contracting under Subsection (k)(1)
14 of this section.

15 (m) Task force members and personnel may be appointed or
16 employed from different catchment areas, as defined by Section
17 264.152, Family Code, in this state.

18 (n) The task force shall submit a written report on the
19 statewide plan developed by the task force to the governor, the
20 lieutenant governor, the speaker of the house of representatives,
21 and each member of the standing committees of the senate and house
22 of representatives having primary jurisdiction over child welfare
23 issues not later than September 1, 2020.

24 (o) The task force shall monitor the continued
25 implementation of community-based care and family preservation and
26 other related prevention services, and the implementation plan
27 developed by the department under Section 264.153, Family Code.

1 (p) The task force shall submit a final evaluation of the
2 implementation of community-based care to the governor, the
3 lieutenant governor, the speaker of the house of representatives,
4 and each member of the standing committees of the senate and house
5 of representatives having primary jurisdiction over child welfare
6 issues not later than December 30, 2024.

7 (q) Nothing in this section shall be construed to supersede
8 or limit the department's duty to develop and maintain the plan
9 under Section [264.153](#), Family Code.

10 (r) The task force is abolished and this Act expires
11 December 31, 2024.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section [39](#), Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2019.