

By: Phelan

H.B. No. 4354

A BILL TO BE ENTITLED

AN ACT

relating to prevention and early intervention programs and practices.

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

SECTION 1. Article 45.056(f), Code of Criminal Procedure, is amended to read as follows:

(f) The governing body of the employing governmental entity under Subsection (a) shall adopt reasonable rules for juvenile case managers that provide:

(1) a code of ethics, and for the enforcement of the code of ethics;

(2) appropriate educational preservice and in-service training standards for juvenile case managers; and

(3) training in:

(A) the role of the juvenile case manager;

(B) case planning and management;

(C) applicable procedural and substantive law;

(D) courtroom proceedings and presentation;

(E) services to at-risk youth under ~~[Subchapter D-7]~~ Chapter 265 ~~[264]~~, Family Code;

(F) local programs and services for juveniles and methods by which juveniles may access those programs and services; and

(G) detecting and preventing abuse,

1 exploitation, and neglect of juveniles.

2 SECTION 2. Article 45.057(b), Code of Criminal Procedure,  
3 is amended to read as follows:

4 (b) On a finding by a justice or municipal court that a child  
5 committed an offense that the court has jurisdiction of under  
6 Article 4.11 or 4.14, the court has jurisdiction to enter an order:

7 (1) referring the child or the child's parent for  
8 services under Chapter 265 [~~Section 264.302~~], Family Code;

9 (2) requiring that the child attend a special program  
10 that the court determines to be in the best interest of the child  
11 and, if the program involves the expenditure of municipal or county  
12 funds, that is approved by the governing body of the municipality or  
13 county commissioners court, as applicable, including a  
14 rehabilitation, counseling, self-esteem and leadership, work and  
15 job skills training, job interviewing and work preparation,  
16 self-improvement, parenting, manners, violence avoidance,  
17 tutoring, sensitivity training, parental responsibility, community  
18 service, restitution, advocacy, or mentoring program; or

19 (3) requiring that the child's parent do any act or  
20 refrain from doing any act that the court determines will increase  
21 the likelihood that the child will comply with the orders of the  
22 court and that is reasonable and necessary for the welfare of the  
23 child, including:

24 (A) attend a parenting class or parental  
25 responsibility program; and

26 (B) attend the child's school classes or  
27 functions.

SECTION 3. Section 2.004(b), Family Code, is amended to read as follows:

(b) The application form must contain:

(1) a heading entitled "Application for Marriage License, \_\_\_\_\_ County, Texas";

(2) spaces for each applicant's full name, including the woman's maiden surname, address, social security number, if any, date of birth, and place of birth, including city, county, and state;

(3) a space for indicating the document tendered by each applicant as proof of identity and age;

(4) spaces for indicating whether each applicant has been divorced within the last 30 days;

(5) printed boxes for each applicant to check "true" or "false" in response to the following statement: "I am not presently married and the other applicant is not presently married.";

(6) printed boxes for each applicant to check "true" or "false" in response to the following statement: "The other applicant is not related to me as:

(A) an ancestor or descendant, by blood or adoption;

(B) a brother or sister, of the whole or half blood or by adoption;

(C) a parent's brother or sister, of the whole or half blood or by adoption;

(D) a son or daughter of a brother or sister, of

1 the whole or half blood or by adoption;

2 (E) a current or former stepchild or stepparent;  
3 or

4 (F) a son or daughter of a parent's brother or  
5 sister, of the whole or half blood or by adoption.";

6 (7) printed boxes for each applicant to check "true"  
7 or "false" in response to the following statement: "I am not  
8 presently delinquent in the payment of court-ordered child  
9 support.";

10 (8) a printed oath reading: "I SOLEMNLY SWEAR (OR  
11 AFFIRM) THAT THE INFORMATION I HAVE GIVEN IN THIS APPLICATION IS  
12 CORRECT.";

13 (9) spaces immediately below the printed oath for the  
14 applicants' signatures;

15 (10) a certificate of the county clerk that:

16 (A) each applicant made the oath and the date and  
17 place that it was made; or

18 (B) an applicant did not appear personally but  
19 the prerequisites for the license have been fulfilled as provided  
20 by this chapter;

21 (11) spaces for indicating the date of the marriage  
22 and the county in which the marriage is performed;

23 (12) a space for the address to which the applicants  
24 desire the completed license to be mailed; and

25 (13) a printed box for each applicant to check  
26 indicating that the applicant wishes to make a voluntary  
27 contribution of \$5 to promote healthy early childhood by supporting

1 the Texas Home Visiting Program administered by the prevention and  
2 early intervention services division within the Department of  
3 Family and Protective [~~Office of Early Childhood Coordination of~~  
4 ~~the Health and Human~~] Services [~~Commission~~].

5 SECTION 4. Section 52.03(c), Family Code, is amended to  
6 read as follows:

7 (c) A disposition authorized by this section may involve:

8 (1) referral of the child to an agency other than the  
9 juvenile court;

10 (2) a brief conference with the child and the child's  
11 [~~his~~] parent, guardian, or custodian; or

12 (3) referral of the child and the child's parent,  
13 guardian, or custodian for services under Chapter 265 [~~Section~~  
14 ~~264.302~~].

15 SECTION 5. Section 59.004(a), Family Code, is amended to  
16 read as follows:

17 (a) For a child at sanction level one, the juvenile court or  
18 probation department may:

19 (1) require counseling for the child regarding the  
20 child's conduct;

21 (2) inform the child of the progressive sanctions that  
22 may be imposed on the child if the child continues to engage in  
23 delinquent conduct or conduct indicating a need for supervision;

24 (3) inform the child's parents or guardians of the  
25 parents' or guardians' responsibility to impose reasonable  
26 restrictions on the child to prevent the conduct from recurring;

27 (4) provide information or other assistance to the

child or the child's parents or guardians in securing needed social services;

(5) require the child or the child's parents or guardians to participate in a program for services under Chapter 265 [~~Section 264.302~~], if a program under Chapter 265 [~~Section 264.302~~] is available to the child or the child's parents or guardians;

(6) refer the child to a community-based citizen intervention program approved by the juvenile court;

(7) release the child to the child's parents or guardians; and

(8) require the child to attend and successfully complete an educational program described by Section 37.218, Education Code, or another equivalent educational program.

SECTION 6. Section 59.005(a), Family Code, is amended to read as follows:

(a) For a child at sanction level two, the juvenile court, the prosecuting attorney, or the probation department may, as provided by Section 53.03:

(1) place the child on deferred prosecution for not less than three months or more than six months;

(2) require the child to make restitution to the victim of the child's conduct or perform community service restitution appropriate to the nature and degree of harm caused and according to the child's ability;

(3) require the child's parents or guardians to identify restrictions the parents or guardians will impose on the

child's activities and requirements the parents or guardians will set for the child's behavior;

(4) provide the information required under Sections 59.004(a)(2) and (4);

(5) require the child or the child's parents or guardians to participate in a program for services under Chapter 265 [Section 264.302], if a program under Chapter 265 [Section 264.302] is available to the child or the child's parents or guardians;

(6) refer the child to a community-based citizen intervention program approved by the juvenile court; and

(7) if appropriate, impose additional conditions of probation.

SECTION 7. Section 265.001, Family Code, is amended to read as follows:

Sec. 265.001. DEFINITIONS. In this chapter:

(1) "Commissioner" means the commissioner of the Department of Family and Protective Services.

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

(3) ~~[(2)]~~ "Division" means the prevention and early intervention services division within the department.

(4) ~~[(3)]~~ "Prevention and early intervention services" means programs and practices intended to provide early intervention or prevent risk factors [at-risk behaviors] that lead to child abuse, neglect, or other childhood adversities [delinquency, running away, truancy, and dropping out of school].

SECTION 8. Section 531.981(2), Government Code, is transferred to Section 265.001, Family Code, redesignated as Section 265.001(5), Family Code, and amended to read as follows:

(5) ~~[(2)]~~ "Risk factors" means factors that make a child more likely to experience adversity ~~[adverse experiences]~~ leading to negative consequences, including preterm birth, poverty, low parental education, having a teenaged mother or father, poor maternal health, and parental underemployment or unemployment.

SECTION 9. Section 265.002, Family Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) The department shall operate a division to provide ~~[services for children in at-risk situations and for the families of those children and to achieve the consolidation of]~~ prevention and early intervention services with goals of preventing risk factors, intervening in situations where risk factors are present, ~~[within the jurisdiction of a single agency in order to avoid fragmentation and duplication of services]~~ and increasing ~~[to increase]~~ the accountability for the delivery and administration of these services. The division shall be called the prevention and early intervention services division and shall have the following duties:

(1) to plan, develop, and administer a comprehensive and unified delivery system of prevention and early intervention services to children and their families in at-risk situations;

(2) to improve the responsiveness of services for



1 at-risk children and their families by facilitating greater  
2 coordination and flexibility in the use of funds by state and local  
3 service providers;

4 (3) to provide greater accountability for prevention  
5 and early intervention services in order to demonstrate the impact  
6 or public benefit of a program by adopting outcome measures; and

7 (4) to assist local communities in the coordination  
8 and development of prevention and early intervention services in  
9 order to maximize federal, state, and local resources.

10 (c) The division shall provide prevention and early  
11 intervention services through competitive grants or procurements.

12 SECTION 10. Section 265.003, Family Code, is amended to  
13 read as follows:

14 Sec. 265.003. CONSOLIDATION OF PROGRAMS. (a) In order to  
15 implement the duties provided in Section 265.002, the department  
16 shall consolidate into the division programs with the goal of  
17 providing early intervention or prevention of risk factors ~~[at-risk~~  
18 ~~behavior that leads to child abuse, delinquency, running away,~~  
19 ~~truancy, and dropping out of school]~~.

20 (b) The division may provide additional prevention and  
21 early intervention services in accordance with Section 265.002  
22 through competitive grants or procurements.

23 SECTION 11. Section 265.105, Family Code, is transferred to  
24 Subchapter A, Chapter 265, Family Code, redesignated as Section  
25 265.0031, Family Code, and amended to read as follows:

26 Sec. 265.0031 ~~[265.105]~~. ~~[ADDITIONAL]~~ CONSIDERATIONS IN  
27 AWARDING GRANTS. In ~~[addition to the factors described by Sections~~

1 ~~265.102(b) and 265.103, in~~ determining whether to award a grant to  
2 an applicant under this chapter ~~[subchapter]~~, the department shall  
3 consider:

4 (1) the demonstrated need for a ~~[partnership]~~ program  
5 in the community in which the applicant proposes to operate or to  
6 expand the program, which may be determined by considering the risk  
7 factors in the community identified during the development of the  
8 agency's strategic plan~~;~~

9 ~~[(A) the poverty rate, the crime rate, the number~~  
10 ~~of births to Medicaid recipients, the rate of poor birth outcomes,~~  
11 ~~and the incidence of child abuse and neglect during a prescribed~~  
12 ~~period in the community; and~~

13 ~~[(B) the need to enhance school readiness in the~~  
14 ~~community];~~

15 (2) the applicant's ability to participate in ongoing  
16 monitoring and performance evaluations ~~[under Section 265.109,~~  
17 ~~including the applicant's ability to collect and provide~~  
18 ~~information requested by the department under Section 265.109(c)];~~

19 (3) the applicant's ability to adhere to the  
20 applicable ~~[partnership]~~ program model standards ~~[adopted under~~  
21 ~~Section 265.106];~~

22 (4) the applicant's ability to develop broad-based  
23 community support for implementing or expanding a ~~[partnership]~~  
24 program, as applicable; and

25 (5) the applicant's history of developing and  
26 sustaining innovative, high-quality programs that meet the needs of  
27 families and communities.

SECTION 12. Section 265.057, Family Code, is transferred to Subchapter A, Chapter 265, Family Code, redesignated as Section 265.0032, Family Code, and amended to read as follows:

Sec. 265.0032 [265.057]. COMMUNITY YOUTH DEVELOPMENT GRANTS. (a) Subject to available funding, the department shall award community youth development grants to communities identified by the presence of risk factors, including child poverty rates and single-parent households, and the incidence of negative outcomes for youth, including juvenile crime, child abuse or neglect, school drop-out, and teen pregnancy. The department shall give priority in awarding grants under this section to areas of the state in which there is a high incidence of risk factors and negative outcomes [~~juvenile crime~~].

(b) The purpose of a grant under this section is to assist a community in alleviating conditions in the family and community that lead to negative outcomes for youth [~~juvenile crime~~].

SECTION 13. Subchapter A, Chapter 265, Family Code, is amended by adding Section 265.0033 to read as follows:

Sec. 265.0033. STATEWIDE PREVENTION AND EARLY INTERVENTION SERVICES FOR AT-RISK YOUTH AND FAMILIES PROGRAM; GRANTS. (a) Subject to available funding, the department shall award grants to increase the availability of prevention and early intervention services in all communities in this state based on a community's needs assessment and the division's strategic plan.

(b) The purpose of a grant under this section is to provide community-based prevention and early intervention services that complement and are coordinated with other prevention services and

1 that promote protective factors in families and communities based  
2 on a community's needs assessment.

3 SECTION 14. The heading to Section 265.004, Family Code, is  
4 amended to read as follows:

5 Sec. 265.004. USE OF EVIDENCE-BASED PROGRAMS AND PRACTICES  
6 FOR AT-RISK FAMILIES.

7 SECTION 15. Section 265.004, Family Code, is amended by  
8 amending Subsections (a), (a-1), (a-2), and (c) and adding  
9 Subsection (a-3) to read as follows:

10 (a) To the extent that money is appropriated for the  
11 purpose, the department shall fund evidence-based programs and  
12 practices under Subchapter C that are:

13 (1) [,~~including parenting education, home~~  
14 ~~visitation, family support services, mentoring, positive youth~~  
15 ~~development programs, and crisis counseling,~~] offered by  
16 community-based organizations; and

17 (2) [that are] designed to:

18 (A) prevent or ameliorate child abuse and  
19 neglect; and

20 (B) promote positive child and family  
21 outcomes [~~. The programs funded under this subsection may be~~  
22 ~~offered by a child welfare board established under Section 264.005,~~  
23 ~~a local governmental board granted the powers and duties of a child~~  
24 ~~welfare board under state law, a children's advocacy center~~  
25 ~~established under Section 264.402, or other persons determined~~  
26 ~~appropriate by the department]~~.

27 (a-1) The department shall ensure that not less than 75

1 percent of the money appropriated for home visits and parenting  
2 education programs under Subsection (a) funds evidence-based  
3 programs or practices described by Section 265.151(b) and that the  
4 remainder of that money funds promising ~~[practice]~~ programs or  
5 practices described by Section 265.151(c) and evidence-informed  
6 programs or practices described by Section 265.151(d).

7 (a-2) The department shall actively seek and apply for any  
8 available federal funds to support prevention and early  
9 intervention ~~[parenting education]~~ programs and practices  
10 ~~[provided under this section]~~.

11 (a-3) The department may accept gifts, donations, and  
12 grants to support prevention and early intervention programs and  
13 practices.

14 (c) The department shall periodically evaluate the  
15 evidence-based ~~[abuse and neglect]~~ prevention and early  
16 intervention programs and practices to determine the continued  
17 effectiveness of the programs and practices.

18 SECTION 16. Section 265.0041(a), Family Code, is amended to  
19 read as follows:

20 (a) Subject to the availability of funds, ~~[the Health and~~  
21 ~~Human Services Commission, on behalf of]~~ the department~~[,]~~ shall  
22 enter into agreements with institutions of higher education to  
23 conduct efficacy reviews of any prevention and early intervention  
24 programs that have not previously been evaluated for effectiveness  
25 through a scientific research evaluation process.

26 SECTION 17. Section 265.005(b), Family Code, as amended by  
27 Chapters 319 (S.B. 11) and 822 (H.B. 1549), Acts of the 85th

1 Legislature, Regular Session, 2017, is reenacted and amended to  
2 read as follows:

3 (b) A strategic plan required under this section must:

4 (1) identify methods to leverage other sources of  
5 funding or provide support for existing community-based prevention  
6 efforts;

7 (2) include a needs assessment that identifies  
8 programs to best target the needs of the highest risk populations  
9 and geographic areas;

10 (3) identify the goals and priorities for the  
11 department's overall prevention efforts;

12 (4) report the results of previous prevention efforts  
13 using available information in the plan;

14 (5) identify additional methods of measuring program  
15 effectiveness and results or outcomes;

16 (6) identify methods to collaborate with other state  
17 agencies on prevention efforts;

18 (7) identify specific strategies to implement the plan  
19 and to develop measures for reporting on the overall progress  
20 toward the plan's goals; ~~and~~

21 (8) identify strategies and goals for increasing the  
22 number of families receiving prevention and early intervention  
23 services each year, subject to the availability of funds, to reach  
24 targets set by the department for providing services to families  
25 that are eligible to receive services through parental education,  
26 family support, and community-based programs financed with  
27 federal, state, local, or private resources; and

1           (9) [~~(8)~~] identify specific strategies to increase  
2 local capacity for the delivery of prevention and early  
3 intervention services through collaboration with communities and  
4 stakeholders.

5           SECTION 18. The heading to Subchapter B, Chapter 265,  
6 Family Code, is amended to read as follows:

7           SUBCHAPTER B. TRUST FUNDS [~~CHILD ABUSE AND NEGLECT PRIMARY~~  
8 ~~PREVENTION PROGRAMS~~]

9           SECTION 19. The heading to Section 265.052, Family Code, is  
10 amended to read as follows:

11           Sec. 265.052. CHILDREN'S TRUST FUND; REGIONAL FUNDS [~~CHILD~~  
12 ~~ABUSE AND NEGLECT PRIMARY PREVENTION PROGRAMS~~].

13           SECTION 20. Section 265.052, Family Code, is amended by  
14 amending Subsection (c) and adding Subsections (d) and (e) to read  
15 as follows:

16           (c) The department may:

17               (1) apply for and receive money [~~funds~~] made available  
18 by the federal government or another public or private source for  
19 administering programs under this subchapter and for funding for  
20 child abuse and neglect primary prevention programs; [~~and~~]

21               (2) solicit donations for child abuse and neglect  
22 primary prevention programs; and

23               (3) designate a municipal or county official to  
24 operate a regional children's trust fund who has the same rights and  
25 duties provided by this subchapter to the department with respect  
26 to the trust fund.

27           (d) A designated municipal or county official who operates a

regional children's trust fund shall establish an advisory coalition to oversee:

(1) the expenditure of any money the department grants to the regional children's trust fund; and

(2) any money the regional children's trust fund grants to the community.

(e) Members of the advisory coalition may include:

(1) representatives of local school districts;

(2) health care professionals;

(3) judges and other court personnel;

(4) representatives of philanthropic and nonprofit organizations;

(5) representatives of faith organizations;

(6) representatives of the business community; and

(7) representatives from the divisions of a municipality or county that provide services to families, including housing, transportation, or parks and recreation.

SECTION 21. Section 531.287, Government Code, is transferred to Subchapter B, Chapter 265, Family Code, redesignated as Section 265.0551, Family Code, and amended to read as follows:

Sec. 265.0551 [531.287]. TEXAS HOME VISITING PROGRAM TRUST FUND. (a) The Texas Home Visiting Program trust fund is created as a trust fund outside the treasury and held by ~~[with]~~ the comptroller and shall be administered by the department ~~[office]~~ under this section and rules adopted by the ~~[executive]~~ commissioner. Credits of money in the fund are not state funds or subject to legislative appropriation.



(b) The trust fund consists of money from voluntary contributions under Section 191.0048, Health and Safety Code, and Section 118.018, Local Government Code.

(c) Money in the fund may be spent without appropriation by the department ~~[office]~~ only for the purpose of the Texas Home Visiting Program administered by the department ~~[commission]~~.

(d) Interest and income from the assets of the trust fund shall be credited to and deposited in the trust fund.

SECTION 22. The heading to Subchapter C, Chapter 265, Family Code, is amended to read as follows:

SUBCHAPTER C. PROGRAMS PROVIDING HOME VISITS ~~[NURSE-FAMILY PARTNERSHIP COMPETITIVE GRANT PROGRAM]~~

SECTION 23. Section 531.981(1), Government Code, is transferred to Section 265.101, Family Code, redesignated as Section 265.101(1-a), Family Code, and amended to read as follows:

(1-a) ~~[(1)]~~ "Home visiting program" means a voluntary-enrollment program in which early childhood and health professionals, including ~~[such as]~~ nurses, social workers, or trained and supervised paraprofessionals, repeatedly visit over a period of at least six months the homes of pregnant women or families with children under the age of six who are born with or exposed to one or more risk factors.

SECTION 24. Section 531.982, Government Code, is transferred to Subchapter C, Chapter 265, Family Code, redesignated as Section 265.1015, Family Code, and amended to read as follows:

Sec. 265.1015 ~~[531.982]~~. IMPLEMENTATION OF TEXAS HOME VISITING PROGRAM. (a) The department ~~[commission]~~ shall ~~[maintain~~

1 ~~a strategic plan to~~ serve at-risk pregnant women and families with  
2 children under the age of six through home visiting programs that  
3 improve outcomes for parents and families.

4 (b) A pregnant woman or family is considered at-risk for  
5 purposes of this section and may be eligible for voluntary  
6 enrollment in a home visiting program if the woman or family is  
7 exposed to one or more risk factors.

8 (c) The department ~~[commission]~~ may determine if a risk  
9 factor or combination of risk factors experienced by an at-risk  
10 pregnant woman or family qualifies the woman or family for  
11 enrollment in a home visiting program.

12 SECTION 25. Section 265.102(b), Family Code, is amended to  
13 read as follows:

14 (b) The department shall award grants under the program to  
15 applicants, including applicants operating existing programs, in a  
16 manner that ensures that the partnership programs collectively~~+~~

17 ~~[(1)]~~ operate in accordance with the department's  
18 strategic plan required by Section 265.005 and improvement strategy  
19 required by Section 265.007 ~~[multiple communities that are~~  
20 ~~geographically distributed throughout this state, and~~

21 ~~[(2)] provide program services to approximately 2,000~~  
22 ~~families].~~

23 SECTION 26. Section 265.103, Family Code, is amended to  
24 read as follows:

25 Sec. 265.103. NURSE-FAMILY PARTNERSHIP PROGRAM  
26 REQUIREMENTS. A partnership program funded through a grant awarded  
27 under this subchapter must:

1           (1) strictly adhere to the program model developed by  
2 the Nurse-Family Partnership National Service Office, including  
3 any clinical, programmatic, and data collection requirements of  
4 that model; and

5           (2) ~~[require that registered nurses regularly visit~~  
6 ~~the homes of low-income, first-time mothers participating in the~~  
7 ~~program to provide services designed to:~~

8                   ~~[(A) improve pregnancy outcomes;~~

9                   ~~[(B) improve child health and development;~~

10                  ~~[(C) improve family economic self-sufficiency~~  
11 ~~and stability; and~~

12                  ~~[(D) reduce the incidence of child abuse and~~  
13 ~~neglect;~~

14           ~~[(3)]~~ require that nurses who provide services through  
15 the program:

16                   (A) receive training from the office of the  
17 attorney general at least once each year on procedures by which a  
18 person may voluntarily acknowledge the paternity of a child and on  
19 the availability of child support services from the office;

20                   (B) provide a mother with information about the  
21 rights, responsibilities, and benefits of establishing the  
22 paternity of her child, if appropriate;

23                   (C) provide assistance to a mother and the  
24 alleged father of her child if the mother and alleged father seek to  
25 voluntarily acknowledge paternity of the child, if appropriate; and

26                   (D) provide information to a mother about the  
27 availability of child support services from the office of the

1 attorney general[, and

2           ~~[(4) require that the regular nurse visits described~~  
3 ~~by Subdivision (2) begin not later than a mother's 28th week of~~  
4 ~~gestation and end when her child reaches two years of age].~~

5           SECTION 27. The heading to Section 265.106, Family Code, is  
6 amended to read as follows:

7           Sec. 265.106. NURSE-FAMILY PARTNERSHIP PROGRAM STANDARDS.

8           SECTION 28. The heading to Section 265.109, Family Code, is  
9 amended to read as follows:

10           Sec. 265.109. NURSE-FAMILY PARTNERSHIP ~~[PROGRAM MONITORING~~  
11 ~~AND EVALUATION; ANNUAL]~~ COMMITTEE REPORTS.

12           SECTION 29. Sections 265.109(a) and (b), Family Code, are  
13 amended to read as follows:

14           (a) Not ~~[The department, with the assistance of the~~  
15 ~~Nurse-Family Partnership National Service Office, shall:~~

16                 ~~[(1) adopt performance indicators that are designed to~~  
17 ~~measure a grant recipient's performance with respect to the~~  
18 ~~partnership program standards adopted by the commissioner under~~  
19 ~~Section 265.106,~~

20                 ~~[(2) use the performance indicators to continuously~~  
21 ~~monitor and formally evaluate on an annual basis the performance of~~  
22 ~~each grant recipient, and~~

23                 ~~[(3) prepare and submit an annual report, not]~~ later  
24 than December 1 of each even-numbered year, the department shall  
25 prepare and submit a report to the Senate Health and Human Services  
26 Committee, or its successor, and the House Human Services  
27 Committee, or its successor, regarding the performance of each

1 grant recipient during the preceding state fiscal year with respect  
2 to providing partnership program services. The department may  
3 combine the report required by this section with the report  
4 required by Section 265.154.

5 (b) The report required under Subsection (a) [~~(a)(3)~~] must  
6 include:

7 (1) the number of low-income, first-time mothers to  
8 whom each grant recipient provided partnership program services  
9 and, of that number, the number of mothers who established the  
10 paternity of an alleged father as a result of services provided  
11 under the program;

12 (2) the extent to which each grant recipient made  
13 regular visits to mothers [~~during the period described by Section~~  
14 ~~265.103(4)~~]; and

15 (3) the extent to which each grant recipient adhered  
16 to the Nurse-Family Partnership National Service Office's program  
17 model, including the extent to which registered nurses:

18 (A) conducted home visitations comparable in  
19 frequency, duration, and content to those delivered in Nurse-Family  
20 Partnership National Service Office clinical trials; and

21 (B) assessed the health and well-being of mothers  
22 and children participating in the partnership programs in  
23 accordance with indicators of maternal, child, and family health  
24 defined by the department in consultation with the Nurse-Family  
25 Partnership National Service Office.

26 SECTION 30. The heading to Subchapter D, Chapter 265,  
27 Family Code, is amended to read as follows:

1 SUBCHAPTER D. EVIDENCE-BASED PROGRAMS AND PRACTICES [~~PARENTING~~  
2 ~~EDUCATION~~]

3 SECTION 31. Section 265.151, Family Code, is amended to  
4 read as follows:

5 Sec. 265.151. REQUIREMENTS FOR [~~PARENTING—EDUCATION~~]  
6 PROGRAMS AND PRACTICES ON EVIDENCE-BASED SPECTRUM. (a) A  
7 prevention and early intervention [~~parenting education~~] program or  
8 practice provided by the department must be an evidence-based  
9 program or practice, a promising program or practice, or an  
10 evidence-informed program or practice described by this section.

11 (b) An evidence-based program or practice is a [~~parenting~~  
12 ~~education~~] program or practice that:

13 (1) is research-based and grounded in relevant,  
14 empirical knowledge and program-determined outcomes;

15 (2) has comprehensive standards ensuring the highest  
16 quality service delivery with continuous improvement in the quality  
17 of service delivery;

18 (3) has demonstrated significant positive [~~short-term~~  
19 ~~and long-term~~] outcomes;

20 (4) is listed as an evidence-based program or practice  
21 by a nationally recognized clearinghouse associated with a state or  
22 federal agency or an institution of higher education or, during the  
23 preceding 10 years, has been subject to an external evaluation that  
24 showed positive results and was published in peer-reviewed  
25 literature [~~has been evaluated by at least one rigorous, random,~~  
26 ~~controlled research trial across heterogeneous populations or~~  
27 ~~communities with research results that have been published in a~~

1 ~~peer-reviewed journal~~];

2 (5) substantially complies with a program or practice  
3 manual or design that specifies the purpose, outcomes, duration,  
4 and frequency of the program or practice services; ~~and~~

5 (6) employs well-trained and competent staff and  
6 provides continual relevant professional development opportunities  
7 to the staff;

8 (7) is associated with a national organization,  
9 institution of higher education, or national or state public health  
10 institute; and

11 (8) demonstrates substantial connections to other  
12 community-based services.

13 (c) A promising ~~[practice]~~ program or practice is a  
14 ~~[parenting education]~~ program or practice that:

15 (1) has an active impact evaluation program or  
16 practice or demonstrates a schedule for implementing an active  
17 impact evaluation program or practice;

18 (2) is listed as a promising program or practice by a  
19 nationally recognized clearinghouse associated with a state or  
20 federal agency or an institution of higher education or, during the  
21 preceding 10 years, has been subject to an external evaluation that  
22 showed positive results and was published in peer-reviewed  
23 literature ~~[has been evaluated by at least one outcome-based study~~  
24 ~~demonstrating effectiveness or random, controlled trial in a~~  
25 ~~homogeneous sample]~~;

26 (3) substantially complies with a program or practice  
27 manual or design that specifies the purpose, outcomes, duration,

1 and frequency of the program or practice services;

2 (4) employs well-trained and competent staff and  
3 provides continual relevant professional development opportunities  
4 to the staff; ~~and~~

5 (5) is research-based and grounded in relevant,  
6 empirical knowledge and program-determined outcomes; and

7 (6) demonstrates substantial connections to other  
8 community-based services.

9 (d) An evidence-informed program or practice is a program or  
10 practice that:

11 (1) combines well-researched interventions with  
12 clinical experience, ethics, and client preferences and culture to  
13 guide and inform the delivery of treatments and services;

14 (2) has an active impact evaluation program or  
15 demonstrates a schedule for implementing an active impact  
16 evaluation program;

17 (3) substantially complies with a program or practice  
18 manual or design that specifies the purpose, outcome, duration, and  
19 frequency of the program or practice services; and

20 (4) employs well-trained and competent staff and  
21 provides continual relevant professional development opportunities  
22 to the staff.

23 SECTION 32. Section 265.152, Family Code, is amended to  
24 read as follows:

25 Sec. 265.152. OUTCOMES OF PREVENTION AND EARLY INTERVENTION  
26 PROGRAMS AND PRACTICES ~~[EVIDENCE-BASED PARENTING EDUCATION]~~. The  
27 department shall ensure that a prevention and early intervention



~~[parenting education]~~ program or practice provided under this subchapter ~~[chapter]~~ achieves favorable behavioral outcomes in at least two of the following areas:

- (1) improved cognitive development of children;
- (2) increased ~~[school]~~ readiness for and participation and performance in school ~~[of children]~~;
- (3) reduced child abuse, neglect, and injury;
- (4) improved child safety;
- (5) improved social-emotional development of children and youth;
- (6) increased protective factors ~~[improved parenting skills]~~, including nurturing, ~~[and]~~ bonding, and other parenting skills;
- (7) improved family economic self-sufficiency;
- (8) reduced parental or youth involvement with the criminal justice system; ~~[and]~~
- (9) increased paternal involvement and support;
- (10) improved maternal and child health; and
- (11) increased protective factors for youth.

SECTION 33. Section 265.153, Family Code, is amended to read as follows:

Sec. 265.153. EVALUATION OF PREVENTION AND EARLY INTERVENTION PROGRAMS AND PRACTICES ~~[EVIDENCE-BASED PARENTING EDUCATION]~~. (a) The department shall adopt outcome indicators to measure the effectiveness of prevention and early intervention ~~[parenting education]~~ programs and practices provided under this subchapter ~~[chapter]~~ in achieving desired outcomes.

1 (b) The department may work directly with the model  
2 developer of a prevention and early intervention [~~parenting~~  
3 ~~education~~] program or practice to identify appropriate outcome  
4 indicators for the program or practice and to ensure that the  
5 program or practice substantially complies with the model.

6 (c) The department shall develop internal processes to  
7 share information with prevention and early intervention service  
8 providers [~~parenting education programs~~] to assist the department  
9 in analyzing the performance of the programs or practices.

10 (d) The department shall use information obtained under  
11 this section to:

12 (1) monitor prevention and early intervention  
13 [~~parenting education~~] programs and practices;

14 (2) continually improve the quality of the programs  
15 and practices; and

16 (3) evaluate the effectiveness of the programs and  
17 practices.

18 SECTION 34. Section 265.154, Family Code, is amended to  
19 read as follows:

20 Sec. 265.154. REPORTS TO LEGISLATURE. (a) Not later than  
21 December 1 of each even-numbered year, the department shall prepare  
22 and submit a report on state-funded prevention and early  
23 intervention [~~parenting education~~] programs and practices to the  
24 standing committees of the senate and house of representatives with  
25 jurisdiction over child protective services.

26 (b) A report submitted under this section must include:

27 (1) a description of the prevention and early

1 intervention [~~parenting education~~] programs and practices  
2 implemented and of the models associated with the programs and  
3 practices;

4 (2) information on the families served by the programs  
5 and practices, including:

6 (A) the number of families served and their  
7 demographic information;

8 (B) whether parents abuse or neglect their  
9 children while receiving services or during the three years after  
10 receiving services;

11 (C) whether youth are referred to juvenile courts  
12 while receiving services or after receiving services;

13 (D) whether, based on a validated survey before  
14 and after receiving services, protective factors in parenting have  
15 increased;

16 (E) whether programs and practices focused on  
17 children younger than four years of age reduced the number of child  
18 fatalities;

19 (F) whether the parents receiving services had  
20 any previous involvement with child protective services; and

21 (G) other outcome measures the department  
22 determines are appropriate based on the strategic plan for  
23 prevention and early intervention under Section 265.005;

24 (3) the goals and achieved outcomes of the programs  
25 and practices;

26 (4) information on the cost for each family served,  
27 including any available third-party return-on-investment analysis;

1 and

2 (5) information on the expenditure of appropriations  
3 for the biennium, including information explaining the percentage  
4 of money spent on evidence-based programs and practices, on  
5 promising [~~practice~~] programs and practices, and on  
6 evidence-informed programs and practices.

7 (c) The department shall publish the report on the  
8 department's Internet website.

9 SECTION 35. Chapter 53, Human Resources Code, is  
10 transferred to Chapter 265, Family Code, redesignated as Subchapter  
11 E, Chapter 265, Family Code, and amended to read as follows:

12 SUBCHAPTER E [~~CHAPTER 53~~]. PREVENTIVE SERVICES FOR VETERANS AND  
13 MILITARY FAMILIES

14 Sec. 265.201 [~~53.001~~]. DEFINITION [~~DEFINITIONS~~]. In this  
15 subchapter, "veteran" [~~chapter:~~

16 [~~(1) "Department" means the Department of Family and~~  
17 ~~Protective Services.~~

18 [~~(2) "Veteran"~~] means a person who has served in:

19 (A) the army, navy, air force, coast guard, or  
20 marine corps of the United States;

21 (B) the state military forces as defined by  
22 Section 431.001, Government Code; or

23 (C) an auxiliary service of one of those branches  
24 of the armed forces.

25 Sec. 265.202 [~~53.002~~]. VETERANS AND MILITARY FAMILIES  
26 PREVENTIVE SERVICES PROGRAM. (a) The department shall develop and  
27 implement a preventive services program to serve veterans and

1 military families who have committed or experienced or who are at a  
2 high risk of:

3 (1) family violence; or

4 (2) abuse or neglect.

5 (b) The program must:

6 (1) be designed to coordinate with community-based  
7 organizations to provide prevention services;

8 (2) include a prevention component and an early  
9 intervention component;

10 (3) include collaboration with services for child  
11 welfare, services for early childhood education, and other child  
12 and family services programs; and

13 (4) coordinate with the community collaboration  
14 initiative developed under Subchapter I, Chapter 434, Government  
15 Code, and committees formed by local communities as part of that  
16 initiative.

17 (c) The program must be established initially as a pilot  
18 program in areas of the state in which the department considers the  
19 implementation practicable. The department shall evaluate the  
20 outcomes of the pilot program and ensure that the program is  
21 producing positive results before implementing the program  
22 throughout the state.

23 (d) In even-numbered years, the [The] department shall  
24 evaluate the program and prepare a [an annual] report on the  
25 outcomes of the program. The department shall publish the report on  
26 the department's Internet website. The department may combine the  
27 report required by this section with the report required by Section

1 265.154.

2 SECTION 36. Sections 191.0048(a), (b), and (d), Health and  
3 Safety Code, are amended to read as follows:

4 (a) A person requesting a copy or certified copy of a birth,  
5 marriage, or divorce record may make a voluntary contribution of \$5  
6 to promote healthy early childhood by supporting the Texas Home  
7 Visiting Program administered by the prevention and early  
8 intervention services division within ~~[Office of Early Childhood~~  
9 ~~Coordination of]~~ the Department of Family and Protective ~~[Health~~  
10 ~~and Human] Services [Commission].~~

11 (b) On each paper or electronic application form for a copy  
12 or certified copy of a birth, marriage, or divorce record, the  
13 department shall include a printed box for the applicant to check  
14 indicating that the applicant wishes to make a voluntary  
15 contribution of \$5 to promote healthy early childhood by supporting  
16 the Texas Home Visiting Program administered by the prevention and  
17 early intervention services division within ~~[Office of Early~~  
18 ~~Childhood Coordination of]~~ the Department of Family and Protective  
19 ~~[Health and Human] Services [Commission].~~

20 (d) Notwithstanding Section 191.005, the local registrar or  
21 county clerk who collects the voluntary contribution under this  
22 section shall send the voluntary contribution to the comptroller,  
23 who shall deposit the voluntary contribution in the Texas Home  
24 Visiting Program trust fund under Section 265.0551 ~~[531.287]~~,  
25 Family ~~[Government]~~ Code.

26 SECTION 37. Section 118.018(c), Local Government Code, is  
27 amended to read as follows:

1           (c) A person applying for a marriage license may make a  
2 voluntary contribution of \$5 to promote healthy early childhood by  
3 supporting the Texas Home Visiting Program administered by the  
4 prevention and early intervention services division within ~~[Office~~  
5 ~~of Early Childhood Coordination of]~~ the Department of Family and  
6 Protective ~~[Health and Human]~~ Services ~~[Commission]~~. A county  
7 clerk shall collect the additional voluntary contribution under  
8 this section.

9           SECTION 38. Sections [118.022](#)(a) and (d), Local Government  
10 Code, are amended to read as follows:

11           (a) If the county clerk collects a fee for issuing a  
12 marriage license, the county clerk shall deposit, as provided by  
13 Subchapter B, Chapter [133](#):

14                 (1) \$20 of each fee collected for issuing a marriage  
15 license or \$12.50 of each fee for recording a declaration of  
16 informal marriage to be sent to the comptroller and deposited as  
17 provided by Subsection (b);

18                 (2) \$10 of each fee collected for issuing a marriage  
19 license to be sent to the comptroller and deposited as provided by  
20 Subsection (c); and

21                 (3) if applicable, the \$5 voluntary contribution  
22 collected to promote healthy early childhood by supporting the  
23 Texas Home Visiting Program administered by the prevention and  
24 early intervention services division within ~~[Office of Early~~  
25 ~~Childhood Coordination of]~~ the Department of Family and Protective  
26 ~~[Health and Human]~~ Services ~~[Commission]~~ to be sent to the  
27 comptroller and deposited as provided by Subsection (d).

1           (d) The comptroller shall deposit the money received under  
2 Subsection (a)(3) in the Texas Home Visiting Program trust fund  
3 under Section 265.0551 [~~531.287~~], Family [~~Government~~] Code.

4           SECTION 39. The following provisions are repealed:

5                 (1) Section 264.204, Family Code;

6                 (2) Subchapter D, Chapter 264, Family Code;

7                 (3) Sections 265.101(1), 265.104, 265.107, and  
8 265.110, Family Code; and

9                 (4) Sections 531.983, 531.984, 531.985, 531.986,  
10 531.9871, and 531.988, Government Code.

11           SECTION 40. This Act takes effect September 1, 2019.