

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 23, 2019**

**TO:** Honorable Dennis Bonnen, Speaker of the House, House of Representatives

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE:** **HB2764** by Frank (Relating to minimum standards and caregiver training for substitute care providers for children in the conservatorship of the Department of Family and Protective Services.), **As Passed 2nd House**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Human Resources Code to require the Health and Human Services Commission (HHSC) no later than December 31, 2020, to create and implement a process to simplify and provide greater flexibility in application of the minimum standards for child placing agencies, agency foster homes and adoptive homes. HHSC would also be required to grant each child placing agency and Single Source Continuum Contractors (SSCC) the ability to waive certain standards related to training not related to caring for a child.

The bill would require the Department of Family and Protective Services (DFPS) and the SSCC to include a provision in contracts with child-placing agencies to adopt a policy that training for potential caregivers may not exceed 35 hours and require additional provisions in contracts related to training and allow the child placing agency to provide training to meet the requirements of the Federal Family First Prevention Services Act.

The bill would amend the Family Code to require DFPS to notify the parent or conservator of the child who is the subject of the report of abuse or neglect and the person alleged to have committed the abuse or neglect of certain information and services. DFPS employees would be required to orally notify interviewees at the beginning of an investigation that the interviewee has the right to make an audio recording of the interview and to obtain written verification from the interviewee that they were notified.

The bill would take effect September 1, 2019.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**        529 Health and Human Services Commission, 530 Family and Protective Services, Department of

**LBB Staff:** WP, AN, AKi, EP

