

BILL ANALYSIS

Senate Research Center
87R884 MCK-F

S.B. 452
By: West
Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

- Evidence-based practice requirements help the state provide high quality services for children and families across Texas in situations where there is a risk of abuse or neglect. This bill updates current law relating to prevention and early intervention services to ensure that the state provides the best possible prevention programming and services intended to prevent child abuse or neglect.
- This bill amends the Family Code to make requirements relating to parenting education programs provided by the Department of Family and Protective Services (DFPS), including requirements relating to program outcomes, evaluation by DFPS, and submission of a legislative report, applicable to prevention and early intervention programs or practices. The bill revises the criteria for a program or practice to be considered evidence-based or promising and requires that evidence-informed programs and practices must:
 - combine well-researched interventions with clinical experience and ethics and client preferences and culture to guide and inform the delivery of treatments and services;
 - have an active impact evaluation program or demonstrate a schedule for implementing an active impact evaluation program;
 - substantially comply with a program manual or design that specifies the purpose, outcome, duration, and frequency of the program services; and
 - employ well-trained and competent staff and provide continual relevant professional development opportunities to the staff.

This bill revises the outcome requirements for evidence-based prevention and early intervention programs and practices and includes improved maternal and child health and increased protective factors for youth among those requirements.

As proposed, S.B. 452 amends current law relating to prevention and early intervention programs and practices.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 264.201(d), Family Code, as follows:

- (d) Requires that a program or practice, if the Department of Family and Protective Services (DFPS) requires or a court orders parenting skills training services through a parenting education program or practice, be an evidence-based program or practice promising program or practice, or evidence-informed program or practice, described by

Section 265.151 that is provided in the community in which the family resides, if available. Deletes a reference to a promising practice parenting education program.

SECTION 2. Amends Section 265.004(a-1), Family Code, as follows:

(d-1) Requires DFPS to ensure that not less than 75 percent of the money appropriated for home visitation programs and parenting education programs under Subsection (a) (relating to the allocation of certain state funds for children's protective services programs) funds evidence-based programs or practices described by Section 265.151(b) and that the remainder of that money funds promising programs or practices, rather than promising practice programs, described by Section 265.151(c) and evidence-informed programs or practices described by Section 265.151(d).

SECTION 3. Amends the heading to Subchapter D, Chapter 265, Family Code, to read as follows:

SUBCHAPTER D. EVIDENCE-BASED PROGRAMS AND PRACTICES

SECTION 4. Amends the heading to Section 265.151, Family Code, to read as follows:

Sec. 265.151. REQUIREMENTS FOR PROGRAMS AND PRACTICES ON EVIDENCE-BASED SPECTRUM.

SECTION 5. Amends Section 265.151, Family Code, by amending Subsections (b) and (c) and adding Subsection (d), as follows:

(b) Provides that an evidence-based program or practice is a program or practice, rather than a parenting education program, that:

(1) and (2) makes no changes to these subdivisions;

(3) makes a nonsubstantive change;

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

(5) and (6) makes nonsubstantive changes to these subdivisions;

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

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

(c) Provides that a promising program or practice is a program or practice that, among other things, is listed as a promising program or practice by a nationally recognized clearinghouse associated with a state or federal agency or an institution of higher education or, during the preceding 10 years, has been subject to an external evaluation that showed positive results and was published in peer-reviewed literature and demonstrates substantial connections to other community-based services.

(d) Provides that an evidence-informed program or practice is a program or practice that:

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

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

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

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

SECTION 6. Amends Section 265.152, Family Code, as follows:

Sec. 265.152. New heading: OUTCOMES OF EVIDENCE-BASED PREVENTION AND EARLY INTERVENTION PROGRAMS AND PRACTICES. Requires DFPS to ensure that a prevention and early intervention program or practice, rather than a parenting education program, provided under Subchapter D, rather than under Chapter 265 (Prevention and Early Intervention Services), achieves favorable behavioral outcomes in at least two of the following areas:

(1) makes no changes to this subdivision;

(2) makes a nonsubstantive change;

(3) and (4) makes no changes to these subdivisions;

(5) improved social-emotional development of children and youth, rather than of children;

(6) increased protective factors including nurturing, bonding, and other parenting skills, rather than improved parenting skills including nurturing and bonding;

(7) makes no changes to this subdivision;

(8) reduced parental or youth, rather than reduced parental, involvement with the criminal justice system;

(9) makes a nonsubstantive change to this subdivision;

(10) improved maternal and child health; and

(11) increased protective factors for children and youth.

SECTION 7. Amends Section 265.153, Family Code, as follows:

Sec. 265.153. New heading: EVALUATION OF PREVENTION AND EARLY INTERVENTION PROGRAMS AND PRACTICES (a) Requires DFPS to adopt outcome indicators to measure the effectiveness of prevention and early intervention programs and practices provided under Subchapter D (Parenting Education) in achieving desired outcomes, rather than under Chapter 265 (Prevention and Early Intervention Services) in achieving desired outcomes.

(b)-(d) Makes conforming changes.

SECTION 8. Amends Section 265.154, Family Code, to make conforming changes.

SECTION 9. Repealer: Section 265.151(a) (relating to requiring a parenting education program provided by DFPS to be an evidence-based or a promising practice program), Family Code.

SECTION 10. Effective date: September 1, 2021.