

By: Parker, Thompson of Harris, Sanford,
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H.B. No. 3493

Substitute the following for H.B. No. 3493:

By: Hinojosa

C.S.H.B. No. 3493

A BILL TO BE ENTITLED

1 AN ACT
2 relating to prevention and early intervention services by the
3 Department of Family and Protective Services.

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

5 SECTION 1. The purpose for this Act is to improve the
6 delivery of prevention and early intervention services for certain
7 children while maximizing the efficient use of taxpayer dollars
8 through a community-based approach.

9 SECTION 2. Section 265.007, Family Code, is amended to read
10 as follows:

11 Sec. 265.007. IMPROVING PROVISION OF PREVENTION AND EARLY
12 INTERVENTION SERVICES. (a) In this section, "adverse childhood
13 experience" means a potentially traumatic event that occurs in the
14 life of a person younger than 18 years of age, including:

- 15 (1) abuse, as defined by Section 261.001;
16 (2) family violence, as defined by Section 71.004;
17 (3) neglect, as defined by Section 261.001;
18 (4) the death of a parent or guardian; and
19 (5) a member of the person's household:
20 (A) having a substance use disorder or mental
21 illness; or
22 (B) being incarcerated.

23 (a-1) To improve the effectiveness and delivery of
24 prevention and early intervention services, the department shall:

1 (1) identify geographic areas that have a high need
2 for prevention and early intervention services but do not have
3 prevention and early intervention services available in the area or
4 have only unevaluated prevention and early intervention services
5 available in the area; ~~and~~

6 (2) develop a request for information to assist the
7 department in the development of the strategic plan described in
8 Section 265.005 to improve prevention and early intervention
9 services;

10 (3) send the request for information developed under
11 Subdivision (2) to a diverse set of stakeholders and providers
12 throughout the state, including:

13 (A) state and local agencies and nonprofit
14 organizations that work directly with children and families;

15 (B) child welfare service providers;

16 (C) early childhood education programs;

17 (D) public schools;

18 (E) medical and mental health service providers;

19 (F) family support and social services
20 providers;

21 (G) the law enforcement, judicial, and criminal
22 justice communities;

23 (H) faith-based organizations;

24 (I) the intellectual or developmental disability
25 community;

26 (J) families and children impacted by child
27 abuse, neglect, and other adverse childhood experiences;

1 (K) the business and philanthropic communities;

2 and

3 (L) single source continuum contractors; and

4 (4) in collaboration with the Health and Human
5 Services Commission, the Department of State Health Services, the
6 Texas Education Agency, the Texas Workforce Commission, and the
7 Office of the Attorney General:

8 (A) develop an inventory of programs and services
9 that are funded by the state that contribute to the prevention of
10 child abuse, neglect, and other adverse childhood experiences;

11 (B) develop an inventory of programs and services
12 that are provided by other entities, including entities listed
13 under Subdivision (3), that contribute to the prevention of adverse
14 childhood experiences;

15 (C) facilitate opportunities to increase
16 collaboration for the effective expenditure of available federal
17 and state funds and better leverage public and private partnerships
18 to increase efficiency; and

19 (D) develop strategies for community partners
20 to:

21 (i) [~~(A)~~] improve the early recognition of
22 child abuse or neglect;

23 (ii) [~~(B)~~] improve the reporting of child
24 abuse and neglect; [~~and~~]

25 (iii) [~~(C)~~] reduce child fatalities;

26 (iv) improve the ability of community
27 partners to distinguish situations in which a child is in imminent

1 danger from situations in which the child and child's family would
2 be better served by providing community-based services; and

3 (v) implement cross-sector, evidence-based
4 practices that prevent adverse childhood experiences.

5 (b) The entities listed in Subsection (a-1)(4) shall use a
6 community awareness approach to implement the strategies and
7 recommendations developed under this section.

8 (c) The department may not use data techniques, including
9 predictive analytics, risk-based modeling, and other similar
10 assessments, to:

11 (1) identify or target services under this section to
12 a specific family or individual; or

13 (2) diagnose the health of or assess the health risks
14 to an individual without the individual's consent to take part in a
15 diagnosis or assessment under this section.

16 (d) Except as provided by other law, the department may not
17 provide services to a minor for the purpose of addressing adverse
18 childhood experiences without informed parental consent.

19 (e) The department may not use data gathered under this
20 section to:

21 (1) identify a specific family or individual; or

22 (2) infringe on an individual's or family's right to
23 privacy.

24 (f) An entity listed in Subsection (a-1)(3) may not provide
25 to the department any information under Subsection (a-1)(2) that
26 may be used to identify a specific family or individual for the
27 purpose of offering services under this section. If the department

1 receives such information, the department may not use the
2 information to implement this section.

3 SECTION 3. Not later than December 1, 2022, the Department
4 of Family and Protective Services shall submit a report to the
5 legislature and the governor that includes:

6 (1) a summary of community feedback, available data,
7 best practices, and implementable changes within the entities
8 listed in Section 265.007(a-1)(4), Family Code, as added by this
9 Act, with regard to the progress of efforts made under Section
10 265.007, Family Code, as amended by this Act; and

11 (2) specific short-term and long-term statutory,
12 administrative, and budget-related recommendations for reforms
13 necessary to improve the delivery of prevention and intervention
14 services across state agencies.

15 SECTION 4. This Act takes effect September 1, 2021.