

1-1 By: Frank, Gates, Minjarez H.B. No. 3691
 1-2 (Senate Sponsor - Kolkhorst)
 1-3 (In the Senate - Received from the House May 17, 2021;
 1-4 May 17, 2021, read first time and referred to Committee on Health &
 1-5 Human Services; May 21, 2021, reported favorably by the following
 1-6 vote: Yeas 9, Nays 0; May 21, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to the statewide implementation of community-based foster
 1-21 care by the Department of Family and Protective Services.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 264.151, Family Code, is amended to read
 1-24 as follows:

1-25 Sec. 264.151. LEGISLATIVE INTENT. (a) It is the intent of
 1-26 the legislature that the department contract with community-based
 1-27 nonprofit and local governmental entities that have the ability to
 1-28 provide child welfare services. The services provided by the
 1-29 entities must include direct case management to prevent entry into
 1-30 substitute care, reunify and preserve families, and ensure child
 1-31 safety, permanency, and well-being, in accordance with state and
 1-32 federal child welfare goals.

1-33 (b) It is the intent of the legislature that the provision
 1-34 of community-based care for children be implemented with measurable
 1-35 goals relating to:

1-36 (1) the safety of children in placements;
 1-37 (2) the placement of children in each child's home
 1-38 community;

1-39 (3) the provision of services to children in the least
 1-40 restrictive environment possible and with [~~if possible, in a~~
 1-41 ~~family home environment,~~

1-42 [~~(4)~~] minimal placement changes [~~for children~~];
 1-43 (4) the reduction of the time a child is in the
 1-44 conservatorship of the department and placed in substitute care;

1-45 (5) the maintenance of contact between children and
 1-46 their families and other important persons;

1-47 (6) the placement of children with siblings, when
 1-48 possible;

1-49 (7) the provision of services that respect each
 1-50 child's culture;

1-51 (8) the preparation of children and youth in foster
 1-52 care for adulthood;

1-53 (9) the provision of opportunities, experiences, and
 1-54 activities for children and youth in foster care that are available
 1-55 to children and youth who are not in foster care;

1-56 (10) the participation by children and youth in making
 1-57 decisions relating to their own lives;

1-58 (11) the reunification of children with the biological
 1-59 parents of the children when possible; [~~and~~]

1-60 (12) the promotion of the placement of children with
 1-61 relative or kinship caregivers if reunification is not possible;

2-1 and
 2-2 (13) the preservation of families to avoid placing
 2-3 children in foster care.

2-4 SECTION 2. Section 264.152, Family Code, is amended by
 2-5 amending Subdivisions (2) and (4) and adding Subdivisions (5), (6),
 2-6 (7), and (8) to read as follows:

2-7 (2) "Case management" means the provision of case
 2-8 management services to a child for whom the department has been
 2-9 appointed temporary or permanent managing conservator or to the
 2-10 child's family, a young adult in extended foster care, a relative or
 2-11 kinship caregiver, or a child who has been placed in the catchment
 2-12 area through the Interstate Compact on the Placement of Children,
 2-13 and includes:

2-14 (A) caseworker visits with the child;
 2-15 (B) family and caregiver visits;
 2-16 (C) convening and conducting permanency planning
 2-17 meetings;

2-18 (D) the development and revision of child and
 2-19 family plans of service, including a permanency plan and goals for a
 2-20 child or young adult in care;

2-21 (E) the coordination and monitoring of services
 2-22 required by the child and the child's family;

2-23 (F) the assumption of court-related duties
 2-24 regarding the child, including:

2-25 (i) providing any required notifications or
 2-26 consultations;

2-27 (ii) preparing court reports;
 2-28 (iii) attending judicial and permanency
 2-29 hearings, trials, and mediations;

2-30 (iv) complying with applicable court
 2-31 orders; and

2-32 (v) ensuring the child is progressing
 2-33 toward the goal of permanency within state and federally mandated
 2-34 guidelines; ~~and~~

2-35 (G) the placement of children in the
 2-36 conservatorship of the department with relative or kinship
 2-37 caregivers as described by Section 264.107 and the monitoring of
 2-38 those placements; and

2-39 (H) any other function or service that the
 2-40 department determines or a single source continuum contractor
 2-41 proposes is necessary to allow the [a single source continuum]
 2-42 contractor to assume responsibility for case management under the
 2-43 terms of a contract executed by the department and the contractor.

2-44 (4) "Community-based care" means the provision of
 2-45 child welfare services in accordance with state and federal child
 2-46 welfare goals by a community-based nonprofit or a local
 2-47 governmental entity under a contract that includes direct case
 2-48 management to:

2-49 (A) prevent entry into foster care;
 2-50 (B) reunify and preserve families;

2-51 (C) ensure child safety, permanency, and
 2-52 well-being; and

2-53 (D) reduce future referrals of children or
 2-54 parents to the department [foster care redesign required by Chapter
 2-55 598 (S.B. 218), Acts of the 82nd Legislature, Regular Session,
 2-56 2011, as designed and implemented in accordance with the plan
 2-57 required by Section 264.153].

2-58 (5) "Child who is a candidate for foster care" means a
 2-59 child who is at imminent risk of being removed from the child's home
 2-60 and placed into the conservatorship of the department because of a
 2-61 continuing danger to the child's physical health or safety caused
 2-62 by an act or failure to act of a person entitled to possession of the
 2-63 child but for whom a court of competent jurisdiction has issued an
 2-64 order allowing the child to remain safely in the child's home or in
 2-65 a kinship placement with the provision of family preservation
 2-66 services.

2-67 (6) "Family preservation service" means a
 2-68 time-limited, family-focused service, including a service subject
 2-69 to the Family First Prevention Services Act (Title VII, Div. E, Pub.

3-1 L. No. 115-123), provided to the family of a child who is:
 3-2 (A) a candidate for foster care to prevent or
 3-3 eliminate the need to remove the child and to allow the child to
 3-4 remain safely with the child's family; or
 3-5 (B) a pregnant or parenting foster youth.
 3-6 (7) "Family preservation services plan" means a
 3-7 written plan, based on a professional assessment, listing the
 3-8 family preservation services, including services subject to the
 3-9 Family First Prevention Services Act (Title VII, Div. E, Pub. L. No.
 3-10 115-123), to be provided to the family of a child who is:

3-11 (A) a candidate for foster care; or
 3-12 (B) a pregnant or parenting foster youth.
 3-13 (8) "Foster care services" means substitute care as
 3-14 defined by Section 263.001 and includes the assessment and referral
 3-15 of children into a residential placement outside the child's home
 3-16 and the assessment and referral of a child for adoption.

3-17 SECTION 3. Section 264.153, Family Code, is amended to read
 3-18 as follows:

3-19 Sec. 264.153. COMMUNITY-BASED CARE IMPLEMENTATION PLAN.
 3-20 (a) The department shall develop and maintain a plan for
 3-21 implementing community-based care. The plan must:

3-22 (1) define [describe] the department's expectations,
 3-23 goals, and statewide strategic plan for [approach to] implementing
 3-24 community-based care and the method the department uses to
 3-25 determine the cost of implementing community-based care, including
 3-26 the department resources used to provide community-based care;

3-27 (2) include a timeline for implementing
 3-28 community-based care throughout this state, the specific order and
 3-29 rationale for implementing community-based care in the catchment
 3-30 areas of this state where community-based care will expand, any
 3-31 limitations related to the implementation, and a progressive
 3-32 intervention plan and a contingency plan to provide continuity of
 3-33 the delivery of foster care services and services for relative and
 3-34 kinship caregivers if a contract with a single source continuum
 3-35 contractor ends prematurely;

3-36 (3) delineate and define the case management roles and
 3-37 responsibilities of the department and the department's
 3-38 contractors, [and] the duties, employees, and related funding that
 3-39 will be transferred to the contractor by the department, and the
 3-40 method for determining the state-level and catchment-level
 3-41 resources to be transferred;

3-42 (4) identify any training needs and include long-range
 3-43 and continuous plans for training and cross-training staff,
 3-44 including plans to train caseworkers using the standardized
 3-45 curriculum created by the human trafficking prevention task force
 3-46 under Section 402.035(d)(6), Government Code, as that section
 3-47 existed on August 31, 2017;

3-48 (5) include a plan for evaluating the costs of and
 3-49 tasks associated with each contract procurement, including the
 3-50 initial and ongoing contract costs for the department and
 3-51 contractor;

3-52 (6) include [the department's contract monitoring
 3-53 approach and] a detailed plan that describes the department's
 3-54 method of monitoring contracts and includes an evaluation of each
 3-55 contractor conducted by an entity based in this state independent
 3-56 of the department that:

3-57 (A) assesses the effectiveness of the transfer of
 3-58 responsibilities to each contractor;

3-59 (B) measures [for evaluating] the performance
 3-60 and contract outcomes of each contractor; and

3-61 (C) compares the outcomes in the contractor's
 3-62 catchment area to the outcomes in:

3-63 (i) that same catchment area before
 3-64 community-based care was implemented;

3-65 (ii) other catchment areas in which
 3-66 community-based care has been implemented; and

3-67 (iii) other department regions in which the
 3-68 department is providing services [system as a whole that includes
 3-69 an independent evaluation of each contractor's processes and fiscal

4-1 ~~and qualitative outcomes~~]; ~~and~~

4-2 (7) include a report on ~~[transition]~~ issues that
4-3 impede transition to community-based care;

4-4 (8) include an evaluation of each contractor's
4-5 processes and fiscal and qualitative outcomes concerning the
4-6 children and families in its care conducted by an entity based in
4-7 this state that is independent of the department and has
4-8 demonstrated expertise in statistical, financial, actuarial,
4-9 logistical, and operational analysis;

4-10 (9) require the department to transmit immediately on
4-11 receipt all reports and evaluations required under this subsection
4-12 immediately to the relevant standing committees of the legislature
4-13 and the office of the governor; and

4-14 (10) include a specific implementation plan for each
4-15 catchment area identified for expansion of community-based care
4-16 that includes a timeline for the transfer of services as described
4-17 by Section 264.155 developed after consulting with local
4-18 stakeholders, as appropriate, including stakeholders listed in
4-19 Section 264.155(a)(8) and other stakeholders identified as
4-20 significant in a particular catchment area ~~[resulting from~~
4-21 ~~implementation of community-based care]~~.

4-22 (b) Not later than August 31 each year, the ~~[The]~~ department
4-23 shall ~~[annually]~~:

4-24 (1) update the implementation plan developed under
4-25 this section and post the updated plan on the department's Internet
4-26 website; and

4-27 (2) provide a copy of the plan to the governor,
4-28 lieutenant governor, speaker of the house of representatives, and
4-29 presiding officer of each standing committee of the legislature
4-30 with jurisdiction over matters involving the department ~~[post on~~
4-31 ~~the department's Internet website the progress the department has~~
4-32 ~~made toward its goals for implementing community-based care]~~.

4-33 SECTION 4. Section 264.154, Family Code, is amended by
4-34 amending Subsection (a) and adding Subsection (c) to read as
4-35 follows:

4-36 (a) To enter into a contract with the commission or
4-37 department to serve as a single source continuum contractor to
4-38 provide services under this subchapter ~~[foster care service~~
4-39 ~~delivery]~~, an entity must be:

4-40 (1) a nonprofit entity that has:

4-41 (A) an organizational mission focused on child
4-42 welfare; and

4-43 (B) a majority of the entity's board members
4-44 residing in this state; or

4-45 (2) a governmental entity.

4-46 (c) The department shall request local stakeholders in a
4-47 catchment area, including those listed in Section 264.155(a)(8), to
4-48 provide any necessary information about the catchment area that
4-49 will assist the department in:

4-50 (1) preparing the department's request for bids,
4-51 proposals, or other applicable expressions of interest to provide
4-52 community-based care in the catchment area; and

4-53 (2) selecting a single source continuum contractor to
4-54 provide community-based care in the catchment area.

4-55 SECTION 5. Section 264.155, Family Code, is amended to read
4-56 as follows:

4-57 Sec. 264.155. REQUIRED CONTRACT PROVISIONS. (a) A
4-58 contract with a single source continuum contractor to provide
4-59 ~~[community-based care]~~ services under this subchapter in a
4-60 catchment area must include provisions that:

4-61 (1) establish a timeline for the implementation of
4-62 community-based care in the catchment area, including a timeline
4-63 for implementing:

4-64 (A) case management services for children,
4-65 families, and relative and kinship caregivers receiving services in
4-66 the catchment area; ~~and~~

4-67 (B) family reunification support services to be
4-68 provided after a child receiving services from the contractor is
4-69 returned to the child's family; and

5-1 (C) family preservation services;

5-2 (2) establish conditions for the single source
5-3 continuum contractor's access to [~~relevant~~] department data and
5-4 require the participation of the contractor in the data access and
5-5 standards governance council created under Section 264.159;

5-6 (3) require the single source continuum contractor to
5-7 create a single process for the training and use of alternative
5-8 caregivers for all child-placing agencies in the catchment area to
5-9 facilitate reciprocity of licenses for alternative caregivers
5-10 between agencies, including respite and overnight care providers,
5-11 as those terms are defined by department rule;

5-12 (4) require the single source continuum contractor to
5-13 maintain a diverse network of service providers that offer a range
5-14 of foster capacity options and that can accommodate children from
5-15 diverse cultural backgrounds;

5-16 (5) allow the department to conduct a performance
5-17 review of the contractor beginning 18 months after the contractor
5-18 has begun providing case management and family reunification
5-19 support services to all children and families in the catchment area
5-20 and determine if the contractor has achieved any performance
5-21 outcomes specified in the contract;

5-22 (6) following the review under Subdivision (5), allow
5-23 the department to:

5-24 (A) impose financial penalties on the contractor
5-25 for failing to meet any specified performance outcomes; or

5-26 (B) award financial incentives to the contractor
5-27 for exceeding any specified performance outcomes;

5-28 (7) require the contractor to give preference for
5-29 employment to employees of the department:

5-30 (A) whose position at the department is impacted
5-31 by the implementation of community-based care; and

5-32 (B) who are considered by the department to be
5-33 employees in good standing;

5-34 (8) require the contractor to provide preliminary and
5-35 ongoing community engagement plans to ensure communication and
5-36 collaboration with local stakeholders in the catchment area,
5-37 including any of the following:

5-38 (A) community faith-based entities;

5-39 (B) the judiciary;

5-40 (C) court-appointed special advocates;

5-41 (D) child advocacy centers;

5-42 (E) service providers;

5-43 (F) foster families;

5-44 (G) biological parents;

5-45 (H) foster youth and former foster youth;

5-46 (I) relative or kinship caregivers;

5-47 (J) child welfare boards, if applicable;

5-48 (K) attorneys ad litem;

5-49 (L) attorneys that represent parents involved in
5-50 suits filed by the department; and

5-51 (M) any other stakeholders, as determined by the
5-52 contractor; [~~and~~]

5-53 (9) require that the contractor comply with any
5-54 applicable court order issued by a court of competent jurisdiction
5-55 in the case of a child for whom the contractor has assumed case
5-56 management responsibilities or an order imposing a requirement on
5-57 the department that relates to functions assumed by the contractor;

5-58 (10) identify the employees and other resources to be
5-59 transferred to the contractor for the purpose of providing
5-60 necessary implementation, case management, operational, and
5-61 administrative functions and outline the methodology for
5-62 determining the resources to be transferred;

5-63 (11) create a risk-sharing funding model that
5-64 strategically and explicitly balances financial risk between the
5-65 state and the contractor and mitigates the financial effects of
5-66 significant unforeseen changes in the contractor's duties and
5-67 responsibilities or its contract population; and

5-68 (12) require the annual review and adjustment of the
5-69 funding based on updated cost and finance methodologies, including

6-1 changes in policy, foster care rates, and regional service usage.

6-2 (b) A contract with a single source continuum contractor
6-3 under this subchapter must be consistent with the requirements of
6-4 applicable law and may only include terms authorized by the laws or
6-5 rules of this state.

6-6 (c) In regions identified for implementing community-based
6-7 care and in regions where community-based care has been
6-8 implemented, a contractor may apply to the department for a waiver
6-9 from any statutory and regulatory requirement to increase
6-10 innovation and flexibility for achieving contractual performance
6-11 outcomes.

6-12 SECTION 6. Sections 264.156(a), (b), and (d), Family Code,
6-13 are amended to read as follows:

6-14 (a) The department shall develop and apply standard
6-15 criteria [~~a formal review process~~] to assess the ability of a single
6-16 source continuum contractor to satisfy the responsibilities and
6-17 administrative requirements of delivering services under this
6-18 subchapter [~~foster care services and services for relative and~~
6-19 ~~kinship caregivers~~], including the contractor's ability to
6-20 provide:

6-21 (1) case management services for children and
6-22 families;

6-23 (2) evidence-based, promising practice, or
6-24 evidence-informed services [~~supports~~] for children and families;
6-25 and

6-26 (3) sufficient available capacity for inpatient and
6-27 outpatient services and supports for children at all service levels
6-28 who have previously been placed in the catchment area.

6-29 (b) As part of the readiness review process, the single
6-30 source continuum contractor must prepare a report that defines:

6-31 (1) the practice model and process the contractor will
6-32 use to meet contractual performance outcomes and requirements; and

6-33 (2) the methods the contractor will use to eliminate
6-34 conflicts of interest, including financial incentives for a single
6-35 source continuum contractor that refers a child for foster care
6-36 services to itself or to a subcontractor in which that contractor
6-37 has a majority financial stake [~~plan detailing the methods by which~~
6-38 ~~the contractor will avoid or eliminate conflicts of interest. The~~
6-39 ~~department may not transfer services to the contractor until the~~
6-40 ~~department has determined the plan is adequate].~~

6-41 (d) If after conducting the review process developed under
6-42 Subsection (a) the department determines that a single source
6-43 continuum contractor is able to adequately deliver services
6-44 described by this subchapter [~~foster care services and services for~~
6-45 ~~relative and kinship caregivers~~] in advance of the projected dates
6-46 stated in the timeline included in the contract with the
6-47 contractor, the department may adjust the timeline to allow for an
6-48 earlier transition of service delivery to the contractor.

6-49 SECTION 7. Sections 264.157(a), (b), and (c), Family Code,
6-50 are amended to read as follows:

6-51 (a) Not later than the last day of the state fiscal biennium
6-52 [~~December 31, 2019~~], the department shall:

6-53 (1) identify the [~~not more than eight~~] catchment areas
6-54 in the state where the department will implement [~~that are best~~
6-55 ~~suited to implement~~] community-based care; and

6-56 (2) following the implementation of community-based
6-57 care services in those catchment areas, retain an entity based in
6-58 this state that is independent of the department to conduct an
6-59 evaluation of [~~evaluate~~] the implementation process and the single
6-60 source continuum contractor performance in each catchment area.

6-61 (b) Notwithstanding the process for the expansion of
6-62 community-based care described in Subsection (a), [~~and in~~
6-63 ~~accordance with the community-based care implementation plan~~
6-64 ~~developed under Section 264.153, beginning September 1, 2017,~~] the
6-65 department shall accept and evaluate unsolicited proposals [~~begin~~
6-66 ~~accepting applications~~] from entities based in this state to
6-67 provide community-based care services in a geographic service
6-68 [~~designated catchment~~] area where the department has not
6-69 implemented community-based care. An entity that submits a proposal

7-1 to provide community-based care services must ensure that it meets
 7-2 all criteria outlined by this subchapter and must demonstrate
 7-3 established connections to the area the entity proposes to
 7-4 serve. The Health and Human Services Commission in conjunction with
 7-5 the department shall adopt rules to ensure that proposals submitted
 7-6 under this subsection comply with state procurement laws and rules.

7-7 (c) In expanding community-based care, the department may
 7-8 change the geographic boundaries of catchment areas as necessary to
 7-9 align with specific communities or to enable satisfactory
 7-10 unsolicited proposals for community-based care services to be
 7-11 accepted and implemented.

7-12 SECTION 8. The heading to Section 264.158, Family Code, is
 7-13 amended to read as follows:

7-14 Sec. 264.158. TRANSFER OF [~~CASE MANAGEMENT~~] SERVICES TO
 7-15 SINGLE SOURCE CONTINUUM CONTRACTOR.

7-16 SECTION 9. Section 264.158, Family Code, is amended by
 7-17 amending Subsection (a) and adding Subsection (d) to read as
 7-18 follows:

7-19 (a) In each [~~initial~~] catchment area where community-based
 7-20 care has been implemented or a contract with a single source
 7-21 continuum contractor has been executed [~~before September 1, 2017~~],
 7-22 the department shall transfer to the single source continuum
 7-23 contractor [~~providing foster care services in that area~~]:

7-24 (1) the case management of children, relative and
 7-25 kinship caregivers, and families receiving services from that
 7-26 contractor; [~~and~~]

7-27 (2) foster care services; and

7-28 (3) family preservation services [~~family~~
 7-29 reunification support services to be provided after a child
 7-30 receiving services from the contractor is returned to the child's
 7-31 family for the period of time ordered by the court].

7-32 (d) A single source continuum contractor may implement its
 7-33 own procedures to execute the department's statutory duties the
 7-34 contractor assumes and is not required to follow the department's
 7-35 procedures to execute the department duties the contractor assumes.

7-36 SECTION 10. Section 264.159, Family Code, is amended to
 7-37 read as follows:

7-38 Sec. 264.159. DATA ACCESS AND STANDARDS GOVERNANCE COUNCIL.

7-39 (a) The department shall create a data access and standards
 7-40 governance council to develop protocols for the interoperable
 7-41 electronic transfer of data from single source continuum
 7-42 contractors to the department to allow the contractors to perform
 7-43 case management functions and additional contracted services by the
 7-44 department.

7-45 (b) The council shall develop protocols for the access,
 7-46 management, and security of case data that is electronically shared
 7-47 between [~~by~~] a single source continuum contractor and [~~with~~] the
 7-48 department.

7-49 (c) The council shall develop protocols for the access,
 7-50 management, and security of data shared with an independent entity
 7-51 retained to conduct the independent evaluations required under this
 7-52 subchapter. The protocols shall ensure the entity has full,
 7-53 unrestricted access to all relevant data necessary to perform an
 7-54 evaluation.

7-55 (d) The council consists of single source continuum
 7-56 contractors with active contracts and department employees who
 7-57 provide data, legal, information technology, and child protective
 7-58 services. The council shall meet at least quarterly during each
 7-59 calendar year.

7-60 SECTION 11. Section 264.161, Family Code, is amended to
 7-61 read as follows:

7-62 Sec. 264.161. STATUTORY DUTIES ASSUMED BY CONTRACTOR.

7-63 Except as provided by Section 264.163, a single source continuum
 7-64 contractor providing the services described by this subchapter
 7-65 [~~foster care services and services for relative and kinship~~
 7-66 caregivers] in a catchment area must, either directly or through
 7-67 subcontractors, assume the statutory duties of the department in
 7-68 connection with the delivery of [~~foster care~~] services [~~and~~
 7-69 services for relative and kinship caregivers] in that catchment

8-1 area. The department shall enumerate in its contract with a single
8-2 source continuum contractor all duties the single source continuum
8-3 contractor will assume.

8-4 SECTION 12. Section 264.162, Family Code, is amended to
8-5 read as follows:

8-6 Sec. 264.162. REVIEW AND MONITORING OF CONTRACTOR
8-7 PERFORMANCE. (a) The department shall implement [~~develop~~] a
8-8 [~~formal review~~] process to monitor and evaluate a single source
8-9 continuum contractor's performance in achieving contract outcomes
8-10 [~~implementation of placement services and case management~~
8-11 ~~services~~] in a catchment area.

8-12 (b) The contract performance outcomes specified in a
8-13 contract under this subchapter must be consistent with the purposes
8-14 described by Section 264.151. The contract must allow the
8-15 contractor operational discretion in meeting performance outcomes.

8-16 (c) The department shall regularly report on the
8-17 department's and each single source continuum contractor's
8-18 performance in providing services based on the performance outcomes
8-19 described by Subsection (b). The report must:

8-20 (1) be readily accessible to and understandable by a
8-21 member of the public and include the following information:

8-22 (A) a comparison of the single source continuum
8-23 contractor's performance in a catchment area with the department's
8-24 performance in that same area during the 10 years preceding the date
8-25 the contractor began providing services in the area; and

8-26 (B) a comparison of the performances of service
8-27 providers for each region of this state for the time covered by the
8-28 report;

8-29 (2) include information provided by single source
8-30 continuum contractors;

8-31 (3) to the greatest extent feasible, be prepared using
8-32 existing data sources and department resources; and

8-33 (4) be published on the schedule determined
8-34 appropriate by the department but not less than annually.

8-35 (d) The contract must clearly define the manner in which the
8-36 contractor's performance will be measured and identify the
8-37 information sources the department and, if applicable, the
8-38 independent evaluator will use to evaluate the performance.

8-39 SECTION 13. Section 264.156(c), Family Code, is repealed.

8-40 SECTION 14. Not later than October 1, 2022, the Department
8-41 of Family and Protective Services shall publish the initial report
8-42 required by Section 264.162(c), Family Code, as added by this Act.

8-43 SECTION 15. The changes in law made by this Act apply only
8-44 to a contract for foster care services entered into or renewed on or
8-45 after the effective date of this Act.

8-46 SECTION 16. This Act takes effect September 1, 2021.

8-47

* * * * *