

BILL ANALYSIS

Senate Research Center
88R19598 MM-F

H.B. 793
By: Noble et al. (Paxton)
Health & Human Services
4/24/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Department of Family and Protective Services (DFPS) requires parents to use state-contracted service providers to complete court-ordered services before they can reunite with their children. H.B. 793 seeks to provide parents required to complete a service plan for a child under DFPS care with increased choice by allowing parents to obtain services from any qualified or licensed provider the parent selects, and by requiring DFPS to reimburse the selected provider at the same rate as DFPS contractors.

H.B. 793 amends current law relating to the selection and reimbursement of certain persons providing services required under a service plan filed by the Department of Family and Protective Services.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Family and Protective Services in SECTION 1 (Section 263.1021, Family Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 263, Family Code, by adding Section 263.1021, as follows:

Sec. 263.1021. SELECTION AND REIMBURSEMENT OF SERVICE PROVIDER. (a) Authorizes a parent who is required to complete a service plan under Subchapter B (Service Plan and Visitation Plan) to obtain services from a qualified or licensed provider selected by the parent.

(b) Provides that services obtained from a provider selected under Subsection (a) are required to be designed to achieve the stated goals of the service plan and are authorized to be provided through an electronic communication platform.

(c) Requires a service provider selected by a parent to certify in writing whether the parent has satisfactorily completed the required service.

(d) Requires the Department of Family and Protective Services (DFPS) to reimburse a service provider selected by the parent under Subsection (a) who is not under contract with DFPS in an amount equal to the average cost for the specific service from DFPS contractors providing the service in the region where the parent resides.

(e) Requires DFPS to adopt rules relating to the manner in which providers are reimbursed for services provided under this section and to implement this section using existing resources.

SECTION 2. Requires DFPS, not later than December 1, 2023, to adopt the rules required by Section 263.1021(e), Family Code, as added by this Act.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2023.