

## **BILL ANALYSIS**

C.S.H.B. 793  
By: Noble  
Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

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. C.S.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.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Family and Protective Services in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 793 amends the Family Code to authorize a parent who is required to complete a service plan for a child under care of the Department of Family and Protective Services (DFPS) to obtain services from a qualified or licensed provider selected by the parent. The bill authorizes these services to be provided through an electronic communication platform and requires that the services be designed to achieve the stated goals of the service plan. The bill requires the service provider to certify in writing whether the parent has satisfactorily completed the required service. The bill requires DFPS to reimburse any selected service provider 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.

C.S.H.B. 793 requires DFPS to do the following:

- not later than December 1, 2023, adopt rules relating to the manner in which providers are reimbursed for services provided under the bill's provisions; and
- implement the bill's provisions using existing resources.

The bill's provisions apply only to a suit filed by DFPS on or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2023.

## **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 793 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute omits the following requirements present in the introduced:

- the requirement for the services obtained from a selected provider to be provided using an evidence-based program or practice or a promising program or practice; and
- the temporary requirement for DFPS to convene a work group to assist in developing the rules.

The substitute includes a requirement absent from the introduced for DFPS to implement the bill's provisions using existing resources.