

## **BILL ANALYSIS**

C.S.H.B. 4201  
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Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The Department of Family and Protective Services (DFPS) lacks centralized collection and storage of the status of home studies for kinship families. This deficiency has delayed kinship placements, which leads to a lengthier period during which children are kept in the foster care system. There have been instances where various caseworkers in parts of Texas were not aware a home study had already been conducted. Additionally, the lack of this status tracking has caused families to miss statutory deadlines, denying parents due process during traditional removal proceedings. C.S.H.B. 4201 seeks to address this issue by requiring DFPS to electronically record the status of a home study of a potential relative or designated caregiver.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 4201 amends the Family Code to require the Department of Family and Protective Services (DFPS) to maintain an electronic record of the status of a home study of a potential relative or designated caregiver required to be performed before the full adversary hearing in a child protection suit. The bill applies only to a home study performed on or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 4201 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 introduced required DFPS to record in its electronic case management system the results of a home study performed before an adoption is approved or performed before the full adversary hearing in a child protection suit to evaluate a potential substitute caregiver for the child. The substitute omits the provision of the introduced that applied to adoption home studies but retains

the provision applicable to home studies performed to evaluate a potential substitute caregiver and revises that provision as follows:

- replaces the requirement for DFPS to record the results of an applicable home study in its electronic case management system, as in the introduced, with a requirement for DFPS to maintain an electronic record of the status of the home study; and
- limits the home studies to which the requirement applies to only those performed for a potential relative or designated caregiver.