

BILL ANALYSIS

C.S.H.B. 4233
By: Zwiener
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

A constituent in House District 45 raised concerns regarding the training procedures of the Department of Family and Protective Services (DFPS) with respect to individuals who provide care for children or youth in DFPS's conservatorship who are at risk of running away from their placements. A Runaway Prevention Resource Guide is available to DFPS caseworkers but not to the individuals who are housing and serving as a caregiver for the children considered a high risk for running away. C.S.H.B. 4233 seeks to better equip foster parents and other similarly situated individuals who intend to provide care for children or youth in DFPS's conservatorship who are at high risk of running away from their placements by requiring these caregivers to complete a DFPS training program on runaway prevention measures and proper procedures in the event of a runaway event.

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. 4233 amends the Family Code to require each foster parent, prospective adoptive parent, and relative or other designated caregiver who provides care for children and youth who are 10 years of age or older and who are in the conservatorship of the Department of Family and Protective Services (DFPS) to complete a training program on runaway prevention measures and proper procedures in the event a child or youth runs away from the provider. The training program may be offered to providers who provide care for children in DFPS's conservatorship who are younger than 10 years of age and who have a history of running away, may be included as part of existing licensing training provided by DFPS or contracted residential child-care providers, and may be offered in lieu of required training that is not relevant based on the age of the children for whom the person will be providing care.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 4233 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.

While both the introduced and the substitute require a foster parent, prospective adoptive parent, and relative or other designated caregiver of certain children in DFPS's conservatorship to complete the training program, they differ in the following manner:

- the substitute includes a provision not in the introduced making this training mandatory for such individuals only with respect to children who are 10 years of age or older;
- the substitute includes a provision not in the introduced authorizing the training to be offered to providers who provide care for children in DFPS's conservatorship who are younger than 10 years of age who have a history of running away;
- the substitute does not include the provision in the introduced authorizing the training program to be included as part of existing training courses already provided by DFPS;
- the substitute does not include a specification included in the introduced that the training program be developed by DFPS; and
- the substitute includes provisions not in the introduced additionally authorizing the training to be included as part of existing licensing training provided by DFPS or contracted residential child-care providers and to be offered in lieu of required training that is not relevant based on the age of the children for whom the person will be providing care.