88R15482 MM-D

By:  Gervin-Hawkins H.B. No. 4155

A BILL TO BE ENTITLED

AN ACT

relating to policies and procedures of the Department of Family and Protective Services, including regarding service plans and post-removal assessments.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Subchapter B, Chapter 263, Family Code, is amended by adding Section 263.1021 to read as follows:

Sec. 263.1021.  SELECTION OF SERVICE PROVIDER. (a) A parent who is required to complete a service plan under this subchapter may obtain services from any qualified or licensed provider selected by the parent.

(b)  Services obtained from a provider selected under Subsection (a) must be designed to achieve the stated goals of the service plan.

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

(d)  If the department does not accept the certification from a service provider under Subsection (c), not later than the 48th hour after the department issues the denial, the department shall notify the parent's state representative, the parent's state senator, and the department's office of internal affairs about the department's denial of the certification and the reason for the denial.

SECTION 2.  Section 264.1076, Family Code, is amended by adding Subsection (b-1) to read as follows:

(b-1)  In addition to the medical examination required by Subsection (b), the department shall ensure that not later than the end of the 15th day after the date a child described by Subsection (a) is removed from the child's home, the child receives:

(1)  a child and adolescent needs and strengths assessment; and

(2)  a medical checkup conducted in accordance with the Texas Health Steps program.

SECTION 3.  Section 264.1076(b-1), Family Code, as added by this Act, applies only to a child who enters the conservatorship of the Department of Family and Protective Services on or after the effective date of this Act.  A child who enters the conservatorship of the Department of Family and Protective Services before the effective date of this Act is governed by the law in effect on the date the child entered the conservatorship of the department, and the former law is continued in effect for that purpose.

SECTION 4.  The changes in law made by this Act apply only to a suit filed by the Department of Family and Protective Services on or after the effective date of this Act. A suit filed by the department before that date is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.

SECTION 5.  This Act takes effect September 1, 2023.