

By: Noble

H.B. No. 793

A BILL TO BE ENTITLED

AN ACT

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.

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

(b) Services obtained from a provider selected under Subsection (a):

(1) must be:

(A) designed to achieve the stated goals of the service plan; and

(B) provided using an evidence-based program or practice or a promising program or practice; and

(2) may be provided through an electronic communication platform.

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

(d) The department shall reimburse a service provider

1 selected by the parent under Subsection (a) who is not under
2 contract with the department in an amount equal to the average cost
3 for the specific service from department contractors providing the
4 service in the region where the parent resides.

5 (e) The department shall adopt rules relating to the manner
6 in which providers are reimbursed for services provided under this
7 section.

8 (f) Not later than December 1, 2023, the department shall
9 adopt the rules required by Subsection (e). The department shall
10 convene a work group to assist the department in developing the
11 rules. This subsection expires September 1, 2024.

12 SECTION 2. The changes in law made by this Act apply only to
13 a suit filed by the Department of Family and Protective Services on
14 or after the effective date of this Act. A suit filed by the
15 department before that date is governed by the law in effect on the
16 date the suit was filed, and the former law is continued in effect
17 for that purpose.

18 SECTION 3. This Act takes effect September 1, 2023.