

By: Gervin-Hawkins

H.B. No. 4155

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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