

By: Campos

H.B. No. 4168

A BILL TO BE ENTITLED

AN ACT

relating to prevention and early intervention services by the Department of Family and Protective Services.

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

SECTION 1. The purpose for this Act is to improve the delivery of prevention and early intervention services for certain children while maximizing the efficient use of taxpayer dollars through a community-based approach.

SECTION 2. Section 265.007, Family Code, is amended to read as follows:

Sec. 265.007. IMPROVING PROVISION OF PREVENTION AND EARLY INTERVENTION SERVICES. (a) In this section, "adverse childhood experience" means a potentially traumatic event that occurs in the life of a person younger than 18 years of age, including:

(1) abuse, as defined by Section 261.001;

(2) family violence, as defined by Section 71.004;

(3) neglect, as defined by Section 261.001;

(4) the death of a parent or guardian; and

(5) a member of the person's household:

(A) having a substance use disorder or mental illness; or

(B) being incarcerated.

(a-1) To improve the effectiveness and delivery of prevention and early intervention services, the department shall:

1 (1) identify geographic areas that have a high need  
2 for prevention and early intervention services but do not have  
3 prevention and early intervention services available in the area or  
4 have only unevaluated prevention and early intervention services  
5 available in the area; ~~and~~

6 (2) develop a request for information to assist the  
7 department in the development of the strategic plan described in  
8 Section 265.005 to improve prevention and early intervention  
9 services;

10 (3) send the request for information developed under  
11 Subdivision (2) to a diverse set of stakeholders and providers  
12 throughout the state, including:

13 (A) state and local agencies and nonprofit  
14 organizations that work directly with children and families;

15 (B) child welfare service providers;

16 (C) early childhood education programs;

17 (D) public schools;

18 (E) medical and mental health service providers;

19 (F) family support and social services  
20 providers;

21 (G) the law enforcement, judicial, and criminal  
22 justice communities;

23 (H) faith-based organizations;

24 (I) the intellectual or developmental disability  
25 community;

26 (J) families and children impacted by child  
27 abuse, neglect, and other adverse childhood experiences;

1                   (K) the business and philanthropic communities;

2 and

3                   (L) single source continuum contractors; and

4                   (4) in collaboration with the Health and Human  
5 Services Commission, the Department of State Health Services, the  
6 Texas Education Agency, the Texas Workforce Commission, and the  
7 Office of the Attorney General:

8                   (A) develop an inventory of programs and services  
9 that are funded by the state that contribute to the prevention of  
10 child abuse, neglect, and other adverse childhood experiences;

11                   (B) develop an inventory of programs and services  
12 that are provided by other entities, including entities listed  
13 under Subdivision (3), that contribute to the prevention of adverse  
14 childhood experiences;

15                   (C) facilitate opportunities to increase  
16 collaboration for the effective expenditure of available federal  
17 and state funds and better leverage public and private partnerships  
18 to increase efficiency; and

19                   (D) develop strategies for community partners  
20 to:

21                   (i) [~~(A)~~] improve the early recognition of  
22 child abuse or neglect;

23                   (ii) [~~(B)~~] improve the reporting of child  
24 abuse and neglect; [~~and~~]

25                   (iii) [~~(C)~~] reduce child fatalities;

26                   (iv) improve the ability of community  
27 partners to distinguish situations in which a child is in imminent

1 danger from situations in which the child and child's family would  
2 be better served by providing community-based services; and

3 (v) implement cross-sector, evidence-based  
4 practices that prevent adverse childhood experiences.

5 (b) The entities listed in Subsection (a-1)(4) shall use a  
6 community awareness approach to implement the strategies and  
7 recommendations developed under this section.

8 (c) The department may not use data techniques, including  
9 predictive analytics, risk-based modeling, and other similar  
10 assessments, to:

11 (1) identify or target services under this section to  
12 a specific family or individual; or

13 (2) diagnose the health of or assess the health risks  
14 to an individual without the individual's consent to take part in a  
15 diagnosis or assessment under this section.

16 (d) Except as provided by other law, the department may not  
17 provide services to a minor for the purpose of addressing adverse  
18 childhood experiences without informed parental consent.

19 (e) The department may not use data gathered under this  
20 section to:

21 (1) identify a specific family or individual; or

22 (2) infringe on an individual's or family's right to  
23 privacy.

24 (f) An entity listed in Subsection (a-1)(3) may not provide  
25 to the department any information under Subsection (a-1)(2) that  
26 may be used to identify a specific family or individual for the  
27 purpose of offering services under this section. If the department

1 receives such information, the department may not use the  
2 information to implement this section.

3 SECTION 3. Not later than December 1, 2024, the Department  
4 of Family and Protective Services shall submit a report to the  
5 legislature and the governor that includes:

6 (1) a summary of community feedback, available data,  
7 best practices, and implementable changes within the entities  
8 listed in Section 265.007(a-1)(4), Family Code, as added by this  
9 Act, with regard to the progress of efforts made under Section  
10 265.007, Family Code, as amended by this Act; and

11 (2) specific short-term and long-term statutory,  
12 administrative, and budget-related recommendations for reforms  
13 necessary to improve the delivery of prevention and intervention  
14 services across state agencies.

15 SECTION 4. This Act takes effect September 1, 2023.