

By: Kolkhorst, et al.
(Frank, Noble, Hull, et al.)

S.B. No. 24

Substitute the following for S.B. No. 24:

By: Frank

C.S.S.B. No. 24

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the powers and duties of the Health and Human Services
3 Commission and the transfer to the commission of certain powers and
4 duties from the Department of Family and Protective Services.

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

6 SECTION 1. Title 9, Human Resources Code, is amended by
7 adding Chapter 137, and a heading is added to that chapter to read
8 as follows:

9 CHAPTER 137. FAMILY SUPPORT SERVICES

10 SECTION 2. Subchapters A, B, and C, Chapter 265, Family
11 Code, are transferred to Chapter 137, Human Resources Code, as
12 added by this Act, redesignated as Subchapters A, B, and C, Chapter
13 137, Human Resources Code, respectively, and amended to read as
14 follows:

15 SUBCHAPTER A. FAMILY SUPPORT [~~PREVENTION AND EARLY INTERVENTION~~]
16 SERVICES

17 Sec. 137.001. APPLICABILITY OF DEFINITIONS. The
18 definitions in Chapter 101, Family Code, apply to terms used in this
19 chapter.

20 Sec. 137.002 [~~265.001~~]. DEFINITIONS. In this chapter:

21 (1) "At-risk family" means a family with at least one
22 child or a pregnant woman and at least one of the following:

23 (A) a child in the family has been the subject of
24 an investigation of abuse, neglect, or exploitation by the

1 Department of Family and Protective Services;

2 (B) the family or a pregnant woman in the family
3 is experiencing conditions that increase the likelihood of
4 involvement with the child welfare system, the criminal justice
5 system, or the juvenile justice system; or

6 (C) the family or a pregnant woman in the family
7 is experiencing other conditions that threaten the
8 self-sufficiency or stability of the family or the birth or health
9 of a baby [~~"Department" means the Department of Family and~~
10 ~~Protective Services~~].

11 (2) "Commission" means the Health and Human Services
12 Commission [~~"Division" means the prevention and early intervention~~
13 ~~services division within the department~~].

14 (3) "Executive commissioner" means the executive
15 commissioner of the commission.

16 (4) "Family support [~~"Prevention and early~~
17 ~~intervention~~] services" means programs intended to provide [~~early~~
18 intervention and promote safety and stability for children and
19 at-risk families [~~or prevent at-risk behaviors that lead to child~~
20 ~~abuse, delinquency, running away, truancy, and dropping out of~~
21 ~~school~~].

22 Sec. 137.003 [~~265.002~~]. FAMILY SUPPORT [~~PREVENTION AND~~
23 ~~EARLY INTERVENTION~~] SERVICES [~~DIVISION~~]. (a) The commission
24 [~~department~~] shall:

25 (1) administer grants and contracts [~~operate a~~
26 ~~division~~] to provide family support services to [~~for~~] children and
27 [~~in~~] at-risk [~~situations and for the~~] families;

1 (2) [~~of those children and to achieve the~~
2 ~~consolidation of prevention and early intervention services within~~
3 ~~the jurisdiction of a single agency in order to avoid fragmentation~~
4 ~~and duplication of services and to increase the accountability for~~
5 ~~the delivery and administration of these services. The division~~
6 ~~shall be called the prevention and early intervention services~~
7 ~~division and shall have the following duties:~~

8 [(1) ~~to~~] plan, develop, and administer an integrated
9 continuum of care system of programs providing family support
10 services to at-risk families [~~a comprehensive and unified delivery~~
11 ~~system of prevention and early intervention services to children~~
12 ~~and their families in at-risk situations~~];

13 (3) administer the referral, coordination, and
14 collaboration of family support services under this chapter with
15 similar, existing programs the commission operates;

16 (4) [(2) ~~to~~] improve the responsiveness of family
17 support services provided to [~~for at-risk~~] children and at-risk
18 [~~their~~] families by facilitating greater coordination and
19 flexibility in the use of funds by state and local service
20 providers;

21 (5) [(3) ~~to~~] provide greater accountability for
22 family support [~~prevention and early intervention~~] services in
23 order to demonstrate the impact or public benefit of a program by
24 adopting outcome measures; and

25 (6) [(4) ~~to~~] assist local communities in the
26 coordination and development of family support [~~prevention and~~
27 ~~early intervention~~] services in order to maximize federal, state,

1 and local resources.

2 (b) Family support services under this chapter are intended
3 to:

4 (1) promote healthy outcomes and strengthen support
5 systems for children and at-risk families;

6 (2) assist at-risk families in achieving
7 self-sufficiency and stability;

8 (3) promote workforce participation; and

9 (4) prevent or reduce at-risk behaviors in children
10 and at-risk families, including behaviors that may lead to:

11 (A) child abuse or neglect;

12 (B) delinquency, running away, truancy, dropping
13 out of school, or substance use; or

14 (C) involvement with the child welfare system,
15 the juvenile justice system, or the criminal justice system [~~The~~
16 ~~department's prevention and early intervention services division~~
17 ~~must be organizationally separate from the department's divisions~~
18 ~~performing child protective services and adult protective services~~
19 ~~functions~~].

20 Sec. 137.004 [~~265.003~~]. COORDINATION [~~CONSOLIDATION~~] OF
21 PROGRAMS. [~~(a)~~] In order to implement the duties provided in
22 Section 137.003 [~~265.002~~], the commission [~~department~~] shall
23 identify and coordinate with other [~~consolidate into the division~~]
24 programs the commission operates with the goal of providing family
25 support services [~~early intervention or prevention of at-risk~~
26 ~~behavior that leads to child abuse, delinquency, running away,~~
27 ~~truancy, and dropping out of school~~].

1 ~~[(b) The division may provide additional prevention and~~
2 ~~early intervention services in accordance with Section 265.002.~~

3 ~~[Sec. 265.004. USE OF EVIDENCE-BASED PROGRAMS FOR AT-RISK~~
4 ~~FAMILIES. (a) To the extent that money is appropriated for the~~
5 ~~purpose, the department shall fund evidence-based programs,~~
6 ~~including parenting education, home visitation, family support~~
7 ~~services, mentoring, positive youth development programs, and~~
8 ~~crisis counseling, offered by community-based organizations that~~
9 ~~are designed to prevent or ameliorate child abuse and neglect. The~~
10 ~~programs funded under this subsection may be offered by a child~~
11 ~~welfare board established under Section 264.005, a local~~
12 ~~governmental board granted the powers and duties of a child welfare~~
13 ~~board under state law, a children's advocacy center established~~
14 ~~under Section 264.402, or other persons determined appropriate by~~
15 ~~the department.~~

16 ~~[(a-1) The department shall ensure that not less than 75~~
17 ~~percent of the money appropriated for parenting education programs~~
18 ~~under Subsection (a) funds evidence-based programs or practices~~
19 ~~described by Section 265.151(b) and that the remainder of that~~
20 ~~money funds promising programs or practices described by Section~~
21 ~~265.151(c) or evidence-informed programs or practices described by~~
22 ~~Section 265.151(d).~~

23 ~~[(a-2) The department shall actively seek and apply for any~~
24 ~~available federal funds to support parenting education programs~~
25 ~~provided under this section.~~

26 ~~[(b) The department shall place priority on programs that~~
27 ~~target children whose race or ethnicity is disproportionately~~

1 ~~represented in the child protective services system.~~

2 ~~[(c) The department shall periodically evaluate the~~
3 ~~evidence-based abuse and neglect prevention programs to determine~~
4 ~~the continued effectiveness of the programs.]~~

5 ~~[Sec. 265.0041. COLLABORATION WITH INSTITUTIONS OF HIGHER~~
6 ~~EDUCATION. (a) Subject to the availability of funds, the Health~~
7 ~~and Human Services Commission, on behalf of the department, shall~~
8 ~~enter into agreements with institutions of higher education to~~
9 ~~conduct efficacy reviews of any prevention and early intervention~~
10 ~~programs that have not previously been evaluated for effectiveness~~
11 ~~through a scientific research evaluation process.]~~

12 ~~[(b) Subject to the availability of funds, the department~~
13 ~~shall collaborate with an institution of higher education to create~~
14 ~~and track indicators of child well-being to determine the~~
15 ~~effectiveness of prevention and early intervention services.]~~

16 Sec. 137.005 [~~265.005~~]. STRATEGIC PLAN. (a) The
17 commission [~~department~~] shall develop and implement a five-year
18 strategic plan for family support [~~prevention and early~~
19 ~~intervention~~] services. Not later than September 1 of the last
20 fiscal year in each five-year period, the commission [~~department~~]
21 shall issue a new strategic plan for the next five fiscal years
22 beginning with the following fiscal year.

23 (b) A strategic plan required under this section must:

24 (1) identify methods to leverage other sources of
25 funding or provide support for existing community-based
26 [~~prevention~~] efforts to provide family support services;

27 (2) include a needs assessment that identifies

1 programs to best target family support services to the needs of
2 underserved [~~the highest risk~~] populations and geographic areas;

3 (3) identify [~~the goals and~~] priorities and specific
4 commission actions to coordinate and provide family support
5 services to children and at-risk families [~~for the department's~~
6 ~~overall prevention efforts~~];

7 (4) identify and report on specific outcome
8 measurements by obtaining and reporting de-identified aggregate
9 data, as permitted by other law, on the number of program
10 participants who are:

11 (A) involved in the child welfare system, the
12 juvenile justice system, or the criminal justice system;

13 (B) recipients of other services the commission
14 offers; or

15 (C) listed in the central registry of the names
16 of individuals found to have abused or neglected a child maintained
17 under Section 261.002, Family Code [~~report the results of previous~~
18 ~~prevention efforts using available information in the plan~~];

19 (5) identify additional methods of measuring program
20 effectiveness and results or outcomes;

21 (6) identify methods to collaborate with other state
22 agencies on [~~prevention~~] efforts to provide family support
23 services;

24 (7) identify specific strategies to implement the plan
25 and to develop measures for reporting on the overall progress
26 toward the plan's goals;

27 (8) [~~identify strategies and goals for increasing the~~

1 ~~number of families receiving prevention and early intervention~~
2 ~~services each year, subject to the availability of funds, to reach~~
3 ~~targets set by the department for providing services to families~~
4 ~~that are eligible to receive services through parental education,~~
5 ~~family support, and community-based programs financed with~~
6 ~~federal, state, local, or private resources; and~~

7 ~~[(9)]~~ identify specific strategies to increase local
8 capacity for the delivery of family support ~~[prevention and early~~
9 ~~intervention]~~ services through collaboration with communities and
10 stakeholders; and

11 (9) address methods for coordinating with other
12 commission programs under Section 137.004.

13 (c) The commission ~~[department]~~ shall coordinate with
14 interested parties and communities in developing the strategic plan
15 under this section.

16 (d) The commission ~~[department]~~ shall annually review and
17 appropriately update the strategic plan developed under this
18 section.

19 (e) The commission ~~[department]~~ shall post the strategic
20 plan developed under this section and any update to the plan on its
21 Internet website.

22 ~~[Sec. 265.006. PROHIBITION ON USE OF AGENCY NAME OR LOGO.~~
23 ~~The department may not allow the use of the department's name or~~
24 ~~identifying logo or insignia on forms or other materials related to~~
25 ~~the department's prevention and early intervention services that~~
26 ~~are:~~

27 ~~[(1)] provided by the department's contractors; or~~

1 ~~[(2) distributed by the department's contractors to~~
2 ~~the department's clients.~~

3 ~~[Sec. 265.007. IMPROVING PROVISION OF PREVENTION AND EARLY~~
4 ~~INTERVENTION SERVICES. (a) To improve the effectiveness and~~
5 ~~delivery of prevention and early intervention services, the~~
6 ~~department shall:~~

7 ~~[(1) identify geographic areas that have a high need~~
8 ~~for prevention and early intervention services but do not have~~
9 ~~prevention and early intervention services available in the area or~~
10 ~~have only unevaluated prevention and early intervention services~~
11 ~~available in the area; and~~

12 ~~[(2) develop strategies for community partners to:~~

13 ~~[(A) improve the early recognition of child abuse~~
14 ~~or neglect;~~

15 ~~[(B) improve the reporting of child abuse and~~
16 ~~neglect; and~~

17 ~~[(C) reduce child fatalities.~~

18 ~~[(b) The department may not use data gathered under this~~
19 ~~section to identify a specific family or individual.~~

20 ~~[Sec. 265.008. EVALUATION OF PREVENTION AND EARLY~~
21 ~~INTERVENTION SERVICES. (a) The department may enter into~~
22 ~~agreements with institutions of higher education to conduct~~
23 ~~efficacy reviews of any prevention and early intervention services~~
24 ~~provided under this chapter that have not previously been evaluated~~
25 ~~for effectiveness in a research evaluation. The efficacy review~~
26 ~~shall include, when possible, a cost-benefit analysis of the~~
27 ~~program to the state and, when applicable, the return on investment~~

1 ~~of the program to the state.~~

2 ~~[(b) The department may not enter into an agreement to~~
3 ~~conduct a program efficacy evaluation under this section unless:~~

4 ~~(1) the agreement with the institution of higher~~
5 ~~education is cost neutral; and~~

6 ~~(2) the department and institution of higher~~
7 ~~education conducting the evaluation under this section protect the~~
8 ~~identity of individuals who are receiving services from the~~
9 ~~department that are being evaluated.]~~

10 SUBCHAPTER B. FAMILY SUPPORT SERVICES PROGRAMS FOR CHILD ABUSE AND
11 NEGLECT ~~[PRIMARY]~~ PREVENTION ~~[PROGRAMS]~~

12 Sec. 137.051 ~~[265.051]~~. DEFINITIONS. In this subchapter:

13 (1) "Child abuse and neglect prevention" means family
14 support services designed to prevent child abuse and neglect before
15 the abuse or neglect occurs. The term includes child fatality
16 prevention education programs and other activities directed at the
17 general public to stop child abuse and neglect.

18 (2) "Children's trust fund" means a child abuse and
19 neglect ~~[primary]~~ prevention program.

20 ~~[(2) "Primary prevention" means services and~~
21 ~~activities available to the community at large or to families to~~
22 ~~prevent child abuse and neglect before it occurs. The term includes~~
23 ~~infant mortality prevention education programs.]~~

24 (3) "Operating fund" means the commission's
25 ~~[Department of Family and Protective Services]~~ child abuse and
26 neglect prevention operating fund account.

27 (4) "State agency" means a board, commission,

1 department, office, or other state agency that:

2 (A) is in the executive branch of the state
3 government;

4 (B) was created by the constitution or a statute
5 of this state; and

6 (C) has statewide jurisdiction.

7 (5) "Trust fund" means the commission's child abuse
8 and neglect prevention trust fund account.

9 Sec. 137.052 [~~265.052~~]. CHILD ABUSE AND NEGLECT [~~PRIMARY~~]
10 PREVENTION PROGRAMS. (a) The commission [~~department~~] shall
11 operate the children's trust fund to:

12 (1) set policy, offer resources for community
13 [~~primary~~] prevention programs, and provide information and
14 education on family support services and prevention of child abuse
15 and neglect;

16 (2) develop a state plan for expending funds for child
17 abuse and neglect [~~primary~~] prevention programs that includes an
18 annual schedule of transfers of trust fund money to the operating
19 fund;

20 (3) develop eligibility criteria for applicants
21 requesting funding for child abuse and neglect [~~primary~~] prevention
22 programs; and

23 (4) establish funding priorities for child abuse and
24 neglect [~~primary~~] prevention programs.

25 (b) The children's trust fund shall accommodate the
26 commission's [~~department's~~] existing rules and policies in
27 procuring, awarding, and monitoring contracts and grants.

1 (c) The commission [~~department~~] may:

2 (1) apply for and receive funds made available by the
3 federal government or another public or private source for
4 administering programs under this subchapter and for funding for
5 child abuse and neglect [~~primary~~] prevention programs; and

6 (2) solicit donations for child abuse and neglect
7 [~~primary~~] prevention programs.

8 Sec. 137.053 [~~265.053~~]. ADMINISTRATIVE AND OTHER COSTS.

9 (a) Administrative costs under this subchapter during any fiscal
10 year may not exceed an amount equal to 50 percent of the interest
11 credited to the trust fund during the preceding fiscal year.

12 (b) Funds expended under a special project grant from a
13 governmental source or a nongovernmental source for public
14 education or public awareness may not be counted as administrative
15 costs for the purposes of this section.

16 Sec. 137.054 [~~265.054~~]. CHILD ABUSE AND NEGLECT PREVENTION
17 TRUST FUND ACCOUNT. (a) The child abuse and neglect prevention
18 trust fund account is an account in the general revenue fund. Money
19 in the trust fund is dedicated to child abuse and neglect [~~primary~~]
20 prevention programs and family support services programs.

21 (b) The commission [~~department~~] may transfer money
22 contained in the trust fund to the operating fund at any time.
23 However, during a fiscal year the commission [~~department~~] may not
24 transfer more than the amount appropriated for the operating fund
25 for that fiscal year. Money transferred to the operating fund that
26 was originally deposited to the credit of the trust fund under
27 Section 118.022, Local Government Code, may be used only for child

1 abuse and neglect [~~primary~~] prevention programs.

2 (c) Interest earned on the trust fund shall be credited to
3 the trust fund.

4 (d) The trust fund is exempt from the application of Section
5 403.095, Government Code.

6 (e) All marriage license fees and other fees collected for
7 and deposited in the trust fund and interest earned on the trust
8 fund balance shall be appropriated each biennium only to the
9 operating fund for child abuse and neglect [~~primary~~] prevention
10 programs and family support services programs.

11 Sec. 137.055 [~~265.055~~]. COMMISSION [~~DEPARTMENT~~] OPERATING
12 FUND ACCOUNT. (a) The operating fund is an account in the general
13 revenue fund.

14 (b) Administrative and other costs allowed in Section
15 137.053 [~~265.053~~] shall be taken from the operating fund. The
16 commission [~~department~~] may transfer funds contained in the
17 operating fund to the trust fund at any time.

18 (c) The legislature may appropriate the money in the
19 operating fund to carry out the provisions of this subchapter.

20 (d) The operating fund is exempt from the application of
21 Section 403.095, Government Code.

22 [~~Sec. 265.056. CONTRIBUTIONS. (a) The department may~~
23 ~~solicit contributions from any appropriate source.~~

24 [~~(b) Any other contributions for child abuse and neglect~~
25 ~~primary prevention or other prevention and early intervention~~
26 ~~programs shall be deposited into a separate designated fund in the~~
27 ~~state treasury and shall be used for that designated purpose.~~

1 ~~[(c) A person may contribute funds to either the trust fund,~~
2 ~~the operating fund, or a fund designated by the department for a~~
3 ~~specific child abuse and neglect primary prevention or other~~
4 ~~prevention or early intervention purpose.]~~

5 ~~[(d) If a person designates that a contribution is intended~~
6 ~~as a donation to a specific fund, the contribution shall be~~
7 ~~deposited in the designated fund.]~~

8 Sec. 137.056 [~~265.057~~]. COMMUNITY YOUTH DEVELOPMENT
9 GRANTS. (a) Subject to available funding, the commission
10 [~~department~~] shall award community youth development grants to
11 communities identified by incidence of crime. The commission
12 [~~department~~] shall give priority in awarding grants under this
13 section to areas of the state in which there is a high incidence of
14 juvenile crime.

15 (b) The purpose of a grant under this section is to assist a
16 community in alleviating conditions in the family and community
17 that lead to juvenile crime.

18 SUBCHAPTER C. NURSE-FAMILY PARTNERSHIP COMPETITIVE GRANT PROGRAM

19 Sec. 137.101 [~~265.101~~]. DEFINITIONS. In this subchapter:

20 (1) "Competitive grant program" means the
21 nurse-family partnership competitive grant program established
22 under this subchapter.

23 (2) "Partnership program" means a nurse-family
24 partnership program.

25 Sec. 137.102 [~~265.102~~]. OPERATION OF NURSE-FAMILY
26 PARTNERSHIP COMPETITIVE GRANT PROGRAM. (a) The commission
27 [~~department~~] shall operate a nurse-family partnership competitive

1 grant program for [~~through which~~] the commission to [~~department~~
2 ~~will~~] award grants for the implementation of nurse-family
3 partnership programs, or the expansion of existing programs, and
4 for the operation of those programs for a period of not less than
5 two years.

6 (b) The commission [~~department~~] shall award grants under
7 the program to applicants, including applicants operating existing
8 programs, in a manner that ensures that the partnership programs
9 collectively[+]

10 [~~(1)~~] operate in multiple communities that are
11 geographically distributed throughout this state[+ and

12 [~~(2) provide program services to approximately 2,000~~
13 ~~families~~].

14 Sec. 137.103 [~~265.103~~]. PARTNERSHIP PROGRAM REQUIREMENTS.
15 A partnership program funded through a grant awarded under this
16 subchapter must:

17 (1) strictly adhere to the program model developed by
18 the Nurse-Family Partnership National Service Office, including
19 any clinical, programmatic, and data collection requirements of
20 that model;

21 (2) require that registered nurses regularly visit the
22 homes of low-income, first-time mothers participating in the
23 program to provide services designed to:

24 (A) improve pregnancy outcomes;

25 (B) improve child health and development;

26 (C) improve family economic self-sufficiency and
27 stability; [~~and~~]

1 (D) reduce the incidence of child abuse and
2 neglect; and

3 (E) increase workforce participation;

4 (3) require that nurses who provide services through
5 the program:

6 (A) receive training from the office of the
7 attorney general at least once each year on procedures by which a
8 person may voluntarily acknowledge the paternity of a child and on
9 the availability of child support services from the office;

10 (B) provide a mother with information about the
11 rights, responsibilities, and benefits of establishing the
12 paternity of her child, if appropriate;

13 (C) provide assistance to a mother and the
14 alleged father of her child if the mother and alleged father seek to
15 voluntarily acknowledge paternity of the child, if appropriate; and

16 (D) provide information to a mother about the
17 availability of child support services from the office of the
18 attorney general; and

19 (4) require that the regular nurse visits described by
20 Subdivision (2) begin not later than a mother's 28th week of
21 gestation and end when her child reaches two years of age.

22 Sec. 137.104 [~~265.104~~]. APPLICATION. (a) A public or
23 private entity, including a county, municipality, or other
24 political subdivision of this state, may apply for a grant under
25 this subchapter.

26 (b) To apply for a grant, an applicant must submit a written
27 application to the commission [~~department~~] on a form prescribed by

1 the commission [~~department~~] in consultation with the Nurse-Family
2 Partnership National Service Office.

3 (c) The application [~~prescribed by the department~~] must:

4 (1) require the applicant to provide data on the
5 number of low-income, first-time mothers residing in the community
6 in which the applicant proposes to operate or expand a partnership
7 program and provide a description of existing services available to
8 those mothers;

9 (2) describe the ongoing monitoring and evaluation
10 process to which a grant recipient is subject under Section 137.107
11 [~~265.109~~], including the recipient's obligation to collect and
12 provide information requested by the commission [~~department~~] under
13 Section 137.107(c) [~~265.109(c)~~]; and

14 (3) require the applicant to provide other relevant
15 information as determined by the commission [~~department~~].

16 [~~Sec. 265.105. ADDITIONAL CONSIDERATIONS IN AWARDING~~
17 ~~GRANTS. In addition to the factors described by Sections~~
18 ~~265.102(b) and 265.103, in determining whether to award a grant to~~
19 ~~an applicant under this subchapter, the department shall consider:~~

20 [~~(1) the demonstrated need for a partnership program~~
21 ~~in the community in which the applicant proposes to operate or~~
22 ~~expand the program, which may be determined by considering:~~

23 [~~(A) the poverty rate, the crime rate, the number~~
24 ~~of births to Medicaid recipients, the rate of poor birth outcomes,~~
25 ~~and the incidence of child abuse and neglect during a prescribed~~
26 ~~period in the community, and~~

27 [~~(B) the need to enhance school readiness in the~~

1 community,

2 ~~[(2) the applicant's ability to participate in ongoing~~
3 ~~monitoring and performance evaluations under Section 265.109,~~
4 ~~including the applicant's ability to collect and provide~~
5 ~~information requested by the department under Section 265.109(c),~~

6 ~~[(3) the applicant's ability to adhere to the~~
7 ~~partnership program standards adopted under Section 265.106,~~

8 ~~[(4) the applicant's ability to develop broad-based~~
9 ~~community support for implementing or expanding a partnership~~
10 ~~program, as applicable; and~~

11 ~~[(5) the applicant's history of developing and~~
12 ~~sustaining innovative, high-quality programs that meet the needs of~~
13 ~~families and communities.]~~

14 Sec. 137.105 [~~265.106~~]. PARTNERSHIP PROGRAM STANDARDS.
15 The executive commissioner [~~, with the assistance of the~~
16 ~~Nurse-Family Partnership National Service Office,~~] shall adopt
17 standards for the partnership programs funded under this
18 subchapter. The standards must be consistent with [~~adhere to~~] the
19 Nurse-Family Partnership National Service Office program model
20 standards and guidelines that were developed in multiple,
21 randomized clinical trials and have been tested and replicated in
22 multiple communities.

23 Sec. 137.106 [~~265.107~~]. USE OF AWARDED GRANT FUNDS. The
24 grant funds awarded under this subchapter may be used only to cover
25 costs related to implementing or expanding and operating a
26 partnership program, including costs related to:

27 (1) administering the program;

1 (2) training and managing registered nurses who
2 participate in the program;

3 (3) paying the salaries and expenses of registered
4 nurses who participate in the program;

5 (4) paying for facilities and equipment for the
6 program; and

7 (5) paying for services provided by the Nurse-Family
8 Partnership National Service Office to ensure a grant recipient
9 adheres to the organization's program model.

10 ~~[Sec. 265.108. STATE NURSE CONSULTANT. Using money~~
11 ~~appropriated for the competitive grant program, the department~~
12 ~~shall hire or contract with a state nurse consultant to assist grant~~
13 ~~recipients with implementing or expanding and operating the~~
14 ~~partnership programs in the applicable communities.]~~

15 Sec. 137.107 [~~265.109~~]. PROGRAM MONITORING AND EVALUATION;
16 ANNUAL COMMITTEE REPORTS. (a) The commission [~~department, with~~
17 ~~the assistance of the Nurse-Family Partnership National Service~~
18 ~~Office,~~] shall:

19 (1) adopt performance indicators that are designed to
20 measure a grant recipient's performance with respect to the
21 partnership program standards adopted by the executive
22 commissioner under Section 137.105 [~~265.106~~];

23 (2) use the performance indicators to continuously
24 monitor and formally evaluate on an annual basis the performance of
25 each grant recipient; and

26 (3) prepare and submit an annual report, not later
27 than December 1 of each year, to the Senate Health and Human

1 Services Committee, or its successor, and the House Human Services
2 Committee, or its successor, regarding the performance of each
3 grant recipient during the preceding state fiscal year with respect
4 to providing partnership program services.

5 (b) The report required under Subsection (a)(3) must
6 include:

7 (1) the number of:

8 (A) low-income, first-time mothers to whom each
9 grant recipient provided partnership program services and, of that
10 number, the number of mothers who established the paternity of an
11 alleged father as a result of services provided under the program;

12 (B) mothers who married the father or reside in
13 the same household with the father;

14 (C) mothers who have previous involvement with
15 the child welfare system, the criminal justice system, or the
16 juvenile justice system; and

17 (D) mothers who receive other services from the
18 commission;

19 (2) the extent to which each grant recipient made
20 regular visits to mothers during the period described by Section
21 137.103(4) [~~265.103(4)~~]; and

22 (3) the extent to which each grant recipient adhered
23 to the Nurse-Family Partnership National Service Office's program
24 model, including the extent to which registered nurses:

25 (A) conducted home visitations comparable in
26 frequency, duration, and content to those delivered in Nurse-Family
27 Partnership National Service Office clinical trials; and

1 (B) assessed the health and well-being of mothers
2 and children participating in the partnership programs in
3 accordance with indicators of maternal, child, and family health
4 defined by the [~~department in consultation with the~~] Nurse-Family
5 Partnership National Service Office and required by the commission.

6 (c) On request, each grant recipient shall timely collect
7 and provide data and any other information required by the
8 commission [~~department~~] to monitor and evaluate the recipient or to
9 prepare the report required by this section.

10 Sec. 137.108 [~~265.110~~]. COMPETITIVE GRANT PROGRAM FUNDING.

11 (a) The commission [~~department~~] shall actively seek and apply for
12 any available federal funds, including federal Medicaid and
13 Temporary Assistance for Needy Families (TANF) funds, to assist in
14 financing the competitive grant program established under this
15 subchapter.

16 (b) The commission [~~department~~] may use appropriated funds
17 from the state government and may accept gifts, donations, and
18 grants of money from the federal government, local governments,
19 private corporations, or other persons to assist in financing the
20 competitive grant program.

21 SECTION 3. Sections 265.152, 265.153, 265.154, and 265.155,
22 Family Code, are transferred to Subchapter B, Chapter 137, Human
23 Resources Code, as redesignated by this Act, redesignated as
24 Sections 137.057, 137.058, 137.059, and 137.060, Human Resources
25 Code, respectively, and amended to read as follows:

26 Sec. 137.057 [~~265.152~~]. OUTCOMES OF FAMILY SUPPORT
27 SERVICES [~~EVIDENCE-BASED PREVENTION AND EARLY INTERVENTION~~]

1 PROGRAMS AND PRACTICES. The commission [~~department~~] shall ensure
2 that a family support services [~~prevention and early intervention~~]
3 program or practice provided under this subchapter achieves
4 favorable behavioral outcomes in at least two of the following
5 areas:

6 (1) improved cognitive development of children;

7 (2) increased readiness for and participation and
8 performance in school;

9 (3) reduced child abuse, neglect, and injury;

10 (4) improved child safety;

11 (5) improved social-emotional development of children
12 and youth;

13 (6) increased protective factors, including
14 nurturing, bonding, and other parenting skills;

15 (7) improved family economic self-sufficiency;

16 (8) reduced parental or youth involvement with the
17 criminal justice system; and

18 (9) increased paternal involvement and support.

19 Sec. 137.058 [~~265.153~~]. EVALUATION OF FAMILY SUPPORT
20 SERVICES [~~PREVENTION AND EARLY INTERVENTION~~] PROGRAMS AND
21 PRACTICES. (a) The commission [~~department~~] shall adopt outcome
22 indicators to measure the effectiveness of family support services
23 [~~prevention and early intervention~~] programs and practices
24 provided under this subchapter in achieving desired outcomes.

25 (b) The commission [~~department~~] may work directly with the
26 model developer of a family support services [~~prevention and early~~
27 ~~intervention~~] program or practice to identify appropriate outcome

1 indicators for the program or practice and to ensure that the
2 program or practice substantially complies with the model.

3 (c) The commission [~~department~~] shall develop internal
4 processes to share information with family support services
5 [~~prevention and early intervention service~~] providers to assist the
6 commission [~~department~~] in analyzing the performance of the
7 programs or practices.

8 (d) The commission [~~department~~] shall use information
9 obtained under this section to:

10 (1) monitor family support services [~~prevention and~~
11 ~~early intervention~~] programs and practices;

12 (2) continually improve the quality of the programs
13 and practices; and

14 (3) evaluate the effectiveness of the programs and
15 practices.

16 Sec. 137.059 [~~265.154~~]. REPORTS TO LEGISLATURE. (a) Not
17 later than December 1 of each even-numbered year, the commission
18 [~~department~~] shall prepare and submit a report on state-funded
19 prevention and early intervention programs and practices to the
20 standing committees of the senate and house of representatives with
21 jurisdiction over child protective services.

22 (b) A report submitted under this section must meet any
23 requirements set by the commission under this subchapter [~~include:~~

24 [~~(1) a description of the prevention and early~~
25 ~~intervention programs and practices implemented and of the models~~
26 ~~associated with the programs and practices;~~

27 [~~(2) information on the families served by the~~

1 ~~programs and practices, including the number of families served and~~
2 ~~their demographic information;~~

3 ~~[(3) the goals and achieved outcomes of the~~
4 ~~implemented programs and practices;~~

5 ~~[(4) information on the cost for each family served,~~
6 ~~including any available third-party return-on-investment analysis;~~
7 ~~and~~

8 ~~[(5) information explaining the percentage of money~~
9 ~~spent on evidence-based programs and practices, on promising~~
10 ~~programs and practices, and on evidence-informed programs and~~
11 ~~practices].~~

12 Sec. 137.060 [~~265.155~~]. RULES. The executive commissioner
13 [~~of the department~~] may adopt rules as necessary to implement this
14 subchapter.

15 SECTION 4. Subchapter D, Chapter 264, Family Code, is
16 transferred to Chapter 137, Human Resources Code, as added by this
17 Act, redesignated as Subchapter D, Chapter 137, Human Resources
18 Code, and amended to read as follows:

19 SUBCHAPTER D. SERVICES FOR [~~TO~~] AT-RISK YOUTH

20 Sec. 137.151 [~~264.301~~]. SERVICES FOR AT-RISK YOUTH. (a)
21 The commission [~~department~~] shall operate a program to provide
22 family support services for children in at-risk situations and for
23 the families of those children.

24 (b) The services under this section may include:

- 25 (1) crisis family intervention;
- 26 (2) emergency short-term residential care;
- 27 (3) family counseling;

- 1 (4) parenting skills training;
- 2 (5) youth coping skills training;
- 3 (6) mentoring; and
- 4 (7) advocacy training.

5 Sec. 137.152 [~~264.302~~]. EARLY YOUTH INTERVENTION SERVICES.

6 (a) This section applies to a child who:

- 7 (1) is seven years of age or older and under 17 years
- 8 of age; and
- 9 (2) has not had the disabilities of minority for
- 10 general purposes removed under Chapter 31, Family Code.

11 (b) The commission [~~department~~] shall operate a program
12 under this section to provide family support services for children
13 in at-risk situations and for the families of those children.

14 (c) The commission [~~department~~] may not provide services
15 under this section to a child who has:

- 16 (1) at any time been referred to juvenile court for
- 17 engaging in conduct that violates a penal law of this state of the
- 18 grade of felony other than a state jail felony; or
- 19 (2) been found to have engaged in delinquent conduct
- 20 under Title 3, Family Code.

21 (d) The commission [~~department~~] may provide services under
22 this section to a child who engages in conduct for which the child
23 may be found by a court to be an at-risk child, without regard to
24 whether the conduct violates a penal law of this state of the grade
25 of felony other than a state jail felony, if the child was younger
26 than 10 years of age at the time the child engaged in the conduct.

27 (e) The commission [~~department~~] shall provide services for

1 a child and the child's family if a contract to provide services
2 under this section is available in the county and the child is
3 referred to the commission [~~department~~] as an at-risk child by:

4 (1) a juvenile court or probation department as part
5 of a progressive sanctions program under Chapter 59, Family Code;

6 (2) a law enforcement officer or agency under Section
7 52.03, Family Code; or

8 (3) a justice or municipal court under Article 45.057,
9 Code of Criminal Procedure.

10 (f) The services under this section may include:

11 (1) crisis family intervention;

12 (2) emergency short-term residential care for
13 children 10 years of age or older;

14 (3) family counseling;

15 (4) parenting skills training;

16 (5) youth coping skills training;

17 (6) advocacy training; and

18 (7) mentoring.

19 SECTION 5. Chapter 53, Human Resources Code, is transferred
20 to Chapter 137, Human Resources Code, as added by this Act,
21 redesignated as Subchapter E, Chapter 137, Human Resources Code,
22 and amended to read as follows:

23 SUBCHAPTER E [~~CHAPTER 53~~]. PREVENTIVE SERVICES FOR VETERANS AND
24 MILITARY FAMILIES

25 Sec. 137.201 [~~53.001~~]. DEFINITIONS. In this subchapter,
26 "veteran" [~~chapter~~]

27 [~~(1) "Department" means the Department of Family and~~]

1 ~~Protective Services.~~

2 [~~(2)~~ ~~"Veteran"~~] means a person who has served in:

3 (1) [~~(A)~~] the army, navy, air force, coast guard, or
4 marine corps of the United States;

5 (2) [~~(B)~~] the state military forces as defined by
6 Section 431.001, Government Code; or

7 (3) [~~(C)~~] an auxiliary service of one of those
8 branches of the armed forces.

9 Sec. 137.202 [~~53.002~~]. VETERANS AND MILITARY FAMILIES
10 PREVENTIVE SERVICES PROGRAM. (a) The commission [~~department~~]
11 shall develop and implement a preventive services program to serve
12 veterans and military families who have committed or experienced or
13 who are at a high risk of:

14 (1) family violence; or

15 (2) abuse or neglect.

16 (b) The program must:

17 (1) be designed to coordinate with community-based
18 organizations to provide prevention services;

19 (2) include a prevention component and an early
20 intervention component;

21 (3) include collaboration with services for child
22 welfare, services for early childhood education, and other child
23 and family services programs; and

24 (4) coordinate with the community collaboration
25 initiative developed under Subchapter I, Chapter 434, Government
26 Code, and committees formed by local communities as part of that
27 initiative.

1 ~~[(c) The program must be established initially as a pilot~~
2 ~~program in areas of the state in which the department considers the~~
3 ~~implementation practicable. The department shall evaluate the~~
4 ~~outcomes of the pilot program and ensure that the program is~~
5 ~~producing positive results before implementing the program~~
6 ~~throughout the state.~~

7 ~~[(d) The department shall evaluate the program and prepare~~
8 ~~an annual report on the outcomes of the program. The department~~
9 ~~shall publish the report on the department's Internet website.]~~

10 SECTION 6. Subchapter ~~X~~, Chapter 531, Government Code, is
11 transferred to Chapter 137, Human Resources Code, as added by this
12 Act, and redesignated as Subchapter F, Chapter 137, Human Resources
13 Code, to read as follows:

14 SUBCHAPTER F [~~X~~]. TEXAS HOME VISITING PROGRAM

15 Sec. 137.251 [~~531.981~~]. DEFINITIONS. In this subchapter:

16 (1) "Home visiting program" means a
17 voluntary-enrollment program in which early childhood and health
18 professionals such as nurses, social workers, or trained and
19 supervised paraprofessionals repeatedly visit over a period of at
20 least six months the homes of pregnant women or families with
21 children under the age of six who are born with or exposed to one or
22 more risk factors.

23 (2) "Risk factors" means factors that make a child
24 more likely to experience adverse experiences leading to negative
25 consequences, including preterm birth, poverty, low parental
26 education, having a teenaged mother or father, poor maternal
27 health, and parental underemployment or unemployment.

1 Sec. 137.252 [~~531.982~~]. IMPLEMENTATION OF TEXAS HOME
2 VISITING PROGRAM. (a) The commission shall maintain a strategic
3 plan to serve at-risk pregnant women and families with children
4 under the age of six through home visiting programs that improve
5 outcomes for parents and families.

6 (b) A pregnant woman or family is considered at-risk for
7 purposes of this section and may be eligible for voluntary
8 enrollment in a home visiting program if the woman or family is
9 exposed to one or more risk factors.

10 (c) The commission may determine if a risk factor or
11 combination of risk factors experienced by an at-risk pregnant
12 woman or family qualifies the woman or family for enrollment in a
13 home visiting program.

14 Sec. 137.253 [~~531.983~~]. TYPES OF HOME VISITING PROGRAMS.

15 (a) A home visiting program is classified as either an
16 evidence-based program or a promising practice program.

17 (b) An evidence-based program is a home visiting program
18 that:

19 (1) is research-based and grounded in relevant,
20 empirically based knowledge and program-determined outcomes;

21 (2) is associated with a national organization,
22 institution of higher education, or national or state public health
23 institute;

24 (3) has comprehensive standards that ensure
25 high-quality service delivery and continuously improving quality;

26 (4) has demonstrated significant positive short-term
27 and long-term outcomes;

1 (5) has been evaluated by at least one rigorous
2 randomized controlled research trial across heterogeneous
3 populations or communities, the results of at least one of which has
4 been published in a peer-reviewed journal;

5 (6) follows with fidelity a program manual or design
6 that specifies the purpose, outcomes, duration, and frequency of
7 the services that constitute the program;

8 (7) employs well-trained and competent staff and
9 provides continual relevant professional development
10 opportunities;

11 (8) demonstrates strong links to other
12 community-based services; and

13 (9) ensures compliance with home visiting standards.

14 (c) A promising practice program is a home visiting program
15 that:

16 (1) has an active impact evaluation program or can
17 demonstrate a timeline for implementing an active impact evaluation
18 program;

19 (2) has been evaluated by at least one outcome-based
20 study demonstrating effectiveness or a randomized controlled trial
21 in a homogeneous sample;

22 (3) follows with fidelity a program manual or design
23 that specifies the purpose, outcomes, duration, and frequency of
24 the services that constitute the program;

25 (4) employs well-trained and competent staff and
26 provides continual relevant professional development
27 opportunities;

1 (5) demonstrates strong links to other
2 community-based services; and

3 (6) ensures compliance with home visiting standards.

4 Sec. 137.254 [~~531.984~~]. FUNDING. (a) The commission shall
5 ensure that at least 75 percent of funds appropriated for home
6 visiting programs are used in evidence-based programs, with any
7 remaining funds dedicated to promising practice programs.

8 (b) The commission shall actively seek and apply for any
9 available federal funds to support home visiting programs,
10 including federal funds from the Temporary Assistance for Needy
11 Families program.

12 (c) The commission may accept gifts, donations, and grants
13 to support home visiting programs.

14 Sec. 137.255 [~~531.985~~]. OUTCOMES. The commission shall
15 ensure that a home visiting program achieves favorable outcomes in
16 at least two of the following areas:

- 17 (1) improved maternal or child health outcomes;
- 18 (2) improved cognitive development of children;
- 19 (3) increased school readiness of children;
- 20 (4) reduced child abuse, neglect, and injury;
- 21 (5) improved child safety;
- 22 (6) improved social-emotional development of
23 children;
- 24 (7) improved parenting skills, including nurturing
25 and bonding;
- 26 (8) improved family economic self-sufficiency;
- 27 (9) reduced parental involvement with the criminal

1 justice system; and

2 (10) increased father involvement and support.

3 Sec. 137.256 [~~531.986~~]. EVALUATION OF HOME VISITING
4 PROGRAM. (a) The commission shall adopt outcome indicators to
5 measure the effectiveness of a home visiting program in achieving
6 desired outcomes.

7 (b) The commission may work directly with the model
8 developer of a home visiting program to identify appropriate
9 outcome indicators for the program and to ensure that the program
10 demonstrates fidelity to its research model.

11 (c) The commission shall develop internal processes to work
12 with home visiting programs to share data and information to aid in
13 making relevant analysis of the performance of a home visiting
14 program.

15 (d) The commission shall use data gathered under this
16 section to monitor, conduct ongoing quality improvement on, and
17 evaluate the effectiveness of home visiting programs.

18 Sec. 137.257 [~~531.9871~~]. REPORTS TO LEGISLATURE. (a) Not
19 later than December 1 of each even-numbered year, the commission
20 shall prepare and submit a report on state-funded home visiting
21 programs to the Senate Committee on Health and Human Services and
22 the House Human Services Committee or their successors.

23 (b) A report submitted under this section must include:

24 (1) a description of home visiting programs being
25 implemented and the associated models;

26 (2) data on the number of families being served and
27 their demographic information;

1 (3) the goals and achieved outcomes of home visiting
2 programs;

3 (4) data on cost per family served, including
4 third-party return-on-investment analysis, if available; and

5 (5) data explaining what percentage of funding has
6 been used on evidence-based programs and what percentage of funding
7 has been used on promising practice programs.

8 Sec. 137.258 [~~531.988~~]. RULES. The executive commissioner
9 may adopt rules as necessary to implement this subchapter.

10 SECTION 7. Article 45.057(b), Code of Criminal Procedure,
11 is amended to read as follows:

12 (b) On a finding by a justice or municipal court that a child
13 committed an offense that the court has jurisdiction of under
14 Article 4.11 or 4.14, the court has jurisdiction to enter an order:

15 (1) referring the child or the child's parent for
16 services under Section 137.152, Human Resources Code [~~264.302,~~
17 ~~Family Code~~];

18 (2) requiring that the child attend a special program
19 that the court determines to be in the best interest of the child
20 and, if the program involves the expenditure of municipal or county
21 funds, that is approved by the governing body of the municipality or
22 county commissioners court, as applicable, including a
23 rehabilitation, counseling, self-esteem and leadership, work and
24 job skills training, job interviewing and work preparation,
25 self-improvement, parenting, manners, violence avoidance,
26 tutoring, sensitivity training, parental responsibility, community
27 service, restitution, advocacy, or mentoring program; or

1 (3) requiring that the child's parent do any act or
2 refrain from doing any act that the court determines will increase
3 the likelihood that the child will comply with the orders of the
4 court and that is reasonable and necessary for the welfare of the
5 child, including:

6 (A) attend a parenting class or parental
7 responsibility program; and

8 (B) attend the child's school classes or
9 functions.

10 SECTION 8. Section 52.03(c), Family Code, is amended to
11 read as follows:

12 (c) A disposition authorized by this section may involve:

13 (1) referral of the child to an agency other than the
14 juvenile court;

15 (2) a brief conference with the child and his parent,
16 guardian, or custodian; or

17 (3) referral of the child and the child's parent,
18 guardian, or custodian for services under Section 137.152, Human
19 Resources Code [~~264.302~~].

20 SECTION 9. Section 59.004(a), Family Code, is amended to
21 read as follows:

22 (a) For a child at sanction level one, the juvenile court or
23 probation department may:

24 (1) require counseling for the child regarding the
25 child's conduct;

26 (2) inform the child of the progressive sanctions that
27 may be imposed on the child if the child continues to engage in

1 delinquent conduct or conduct indicating a need for supervision;

2 (3) inform the child's parents or guardians of the
3 parents' or guardians' responsibility to impose reasonable
4 restrictions on the child to prevent the conduct from recurring;

5 (4) provide information or other assistance to the
6 child or the child's parents or guardians in securing needed social
7 services;

8 (5) require the child or the child's parents or
9 guardians to participate in a program for services under Section
10 137.152, Human Resources Code [~~264.302~~], if a program under Section
11 137.152 [~~264.302~~] is available to the child or the child's parents
12 or guardians;

13 (6) refer the child to a community-based citizen
14 intervention program approved by the juvenile court;

15 (7) release the child to the child's parents or
16 guardians; and

17 (8) require the child to attend and successfully
18 complete an educational program described by Section 37.218,
19 Education Code, or another equivalent educational program.

20 SECTION 10. Section 59.005(a), Family Code, is amended to
21 read as follows:

22 (a) For a child at sanction level two, the juvenile court,
23 the prosecuting attorney, or the probation department may, as
24 provided by Section 53.03:

25 (1) place the child on deferred prosecution for not
26 less than three months or more than six months;

27 (2) require the child to make restitution to the

1 victim of the child's conduct or perform community service
2 restitution appropriate to the nature and degree of harm caused and
3 according to the child's ability;

4 (3) require the child's parents or guardians to
5 identify restrictions the parents or guardians will impose on the
6 child's activities and requirements the parents or guardians will
7 set for the child's behavior;

8 (4) provide the information required under Sections
9 [59.004\(a\)\(2\)](#) and (4);

10 (5) require the child or the child's parents or
11 guardians to participate in a program for services under Section
12 [137.152, Human Resources Code](#) [~~[264.302](#)~~], if a program under Section
13 [137.152](#) [~~[264.302](#)~~] is available to the child or the child's parents
14 or guardians;

15 (6) refer the child to a community-based citizen
16 intervention program approved by the juvenile court; and

17 (7) if appropriate, impose additional conditions of
18 probation.

19 SECTION 11. Section [261.002](#), Family Code, is amended by
20 adding Subsection (d) to read as follows:

21 (d) The department shall provide the Health and Human
22 Services Commission with access to the central registry as
23 necessary for the commission to perform its duties under Section
24 [137.005, Human Resources Code.](#)

25 SECTION 12. Section [40.0025\(b\)](#), Human Resources Code, is
26 amended to read as follows:

27 (b) In accordance with Subchapter [A-1](#), Chapter [531](#),

1 Government Code, and notwithstanding any other law, the department
2 performs only functions, including the statewide intake of reports
3 and other information, related to the following services:

4 (1) child protective services, including services
5 that are required by federal law to be provided by this state's
6 child welfare agency;

7 (2) adult protective services, other than
8 investigations of the alleged abuse, neglect, or exploitation of an
9 elderly person or person with a disability:

10 (A) in a facility operated, or in a facility or by
11 a person licensed, certified, or registered, by a state agency; or

12 (B) by a provider that has contracted to provide
13 home and community-based services; and

14 (3) family support [~~prevention and early~~
15 ~~intervention~~] services functions, including:

16 (A) family support [~~prevention and early~~
17 ~~intervention~~] services as defined under Section 137.002 [~~265.001,~~
18 ~~Family Code~~]; and

19 (B) programs that:

20 (i) provide parent education;

21 (ii) promote healthier parent-child
22 relationships; or

23 (iii) prevent family violence.

24 SECTION 13. Subtitle B, Title 2, Health and Safety Code, is
25 amended by adding Chapter 54 to read as follows:

26 CHAPTER 54. THRIVING TEXAS FAMILIES PROGRAM

27 Sec. 54.001. DEFINITIONS. In this chapter:

1 (1) "Abortion" has the meaning assigned by Section
2 245.002.

3 (2) "Network contractor" means a person who contracts
4 with the commission to provide or coordinate the provision of
5 services under this chapter.

6 Sec. 54.002. ESTABLISHMENT. (a) The commission shall
7 establish the Thriving Texas Families Program as a continuation of
8 the alternatives to abortion program to facilitate the operation of
9 a statewide support network that provides community outreach,
10 consultation, and care coordination for women with an unexpected
11 pregnancy.

12 (b) The Thriving Texas Families Program shall:

13 (1) promote healthy pregnancy and childbirth;
14 (2) promote childbirth as an alternative to abortion;
15 (3) increase access to resources that promote family
16 and child development;

17 (4) encourage family formation;
18 (5) help parents establish and implement successful
19 parenting techniques;

20 (6) increase the number of families who achieve
21 economic self-sufficiency; and

22 (7) provide a local approach and personalized support
23 to pregnant women to promote childbirth in all instances of
24 pregnancy.

25 (c) The commission shall contract with network contractors
26 to establish a statewide network of service providers, including
27 pregnancy support centers, adoption assistance providers, and

1 maternity homes, to provide the services described by Section
2 54.003. The commission may contract with the service providers to
3 provide the services in accordance with this chapter.

4 (d) In developing the statewide network of service
5 providers, the commission shall, to the extent practicable,
6 contract with providers who have a history of working with the
7 commission in programs similar to the program created by this
8 chapter.

9 Sec. 54.003. SERVICES. (a) Using the network contractors
10 described under Section 54.002, the commission shall ensure that
11 services described by this chapter are available throughout this
12 state.

13 (b) Services provided through the program include:

14 (1) counseling and mentoring on pregnancy, education,
15 parenting skills, adoption services, life skills, and employment
16 readiness topics;

17 (2) care coordination for prenatal, perinatal, and
18 postnatal services, including connecting participants to health
19 services;

20 (3) educational materials and information about
21 pregnancy, parenting, and adoption services;

22 (4) referrals to governmental and social service
23 programs, including child care, transportation, housing, and state
24 and federal benefit programs;

25 (5) classes on life skills, personal finance,
26 parenthood, stress management, job training, job readiness, job
27 placement, and educational attainment;

1 (6) provision of supplies for infant care and
2 pregnancy, including car seats, cribs, maternity clothes, infant
3 diapers, and formula; and

4 (7) housing services.

5 (c) A service provider participating in the program may not
6 be required to provide all services listed under Subsection (b).

7 (d) A network contractor may provide housing services under
8 Subsection (b)(7) through a maternity home.

9 (e) The commission or network contractors may not provide
10 family planning services through the network.

11 Sec. 54.004. ELIGIBILITY. Program services are available
12 to a resident of this state who is:

13 (1) a pregnant woman;

14 (2) the biological father of an unborn child;

15 (3) the biological parent of a child who is 36 months
16 of age or younger;

17 (4) an adoptive parent of a child who is 36 months of
18 age or younger;

19 (5) an approved adoptive parent of an unborn child;

20 (6) a former participant who has experienced the loss
21 of a child;

22 (7) a parent or legal guardian of a pregnant minor who
23 is a program client;

24 (8) the parent, legal guardian, or adult caregiver of
25 a child who is 36 months of age or younger; and

26 (9) a parent who experienced a miscarriage or loss of a
27 child not more than 90 days before the parent begins participation

1 in the services offered through the program.

2 Sec. 54.005. PROVISION OF SERVICES. (a) The commission and
3 its network contractors shall contract with service providers to
4 assess the needs of the participants and implement a plan to provide
5 services to address the participants' most critical needs.

6 (b) A service provider participating in the program may
7 refer a program client to a service provider not participating in
8 the program for medical services otherwise covered by the program.
9 Services received through a referral under this subsection may not
10 be paid for using program funds.

11 Sec. 54.006. PERFORMANCE OUTCOMES. (a) The commission and
12 its network contractors may contract only with service providers
13 whose performance outcomes include:

14 (1) improving healthy pregnancy and childbirth
15 outcomes;

16 (2) improving child health and development;

17 (3) assisting families in achieving economic
18 self-sufficiency and stability;

19 (4) increasing workforce participation; or

20 (5) promoting marriage and family formation for
21 participating parents.

22 (b) The commission shall identify indicators to measure the
23 performance outcomes under Subsection (a) and require periodic
24 reporting on the outcomes by network contractors and participating
25 service providers.

26 Sec. 54.007. IMPACT EVALUATION. (a) The commission shall
27 periodically conduct impact evaluations to measure the effects of

1 services on participants receiving services through the program and
2 to report on measured performance outcomes.

3 (b) The commission shall contract with an external third
4 party to perform impact evaluations under this chapter.

5 (c) The commission shall select the impact evaluator
6 through a competitive bidding process. The evaluator must have a
7 demonstrated history in evaluating social services programs using
8 an integrated holistic impact approach and data modeling.

9 (d) The commission may not enter into an interagency
10 agreement to conduct an evaluation under this section.

11 Sec. 54.008. REPORTS; AUDITS. (a) The commission shall
12 compile reports provided by network contractors and service
13 providers under Section 54.006 and audit a sampling of the reports
14 to ensure validity.

15 (b) The commission shall annually issue a report that
16 includes:

17 (1) the total number of network contractors and
18 service providers, sorted by geographical region served;

19 (2) the total number of individuals served by each
20 provider, sorted by age and sex;

21 (3) the total amount of expenditures, sorted by method
22 of finance;

23 (4) the value of the contracts with each network
24 contractor and service provider;

25 (5) any outcome measures reported to the commission by
26 network contractors and service providers;

27 (6) any performance outcomes reported to the

1 commission under Section 54.006; and

2 (7) the results of any impact evaluation conducted
3 under Section 54.007.

4 Sec. 54.009. RULES. (a) The executive commissioner may
5 adopt rules to implement this chapter.

6 (b) The executive commissioner may not adopt a rule that
7 violates Chapter 110, Civil Practice and Remedies Code, or Chapter
8 45, Human Resources Code.

9 Sec. 54.010. PROHIBITED CONTRACT TERMS. A contract under
10 this chapter may not include a provision that violates Chapter 110,
11 Civil Practice and Remedies Code, or Chapter 45, Human Resources
12 Code.

13 Sec. 54.011. FUNDING. (a) The commission shall, to the
14 greatest extent possible, seek private funding to supplement and
15 match funding provided through the program.

16 (b) The commission or a service provider may not:

17 (1) use funding provided through the program to
18 perform, induce, assist, or refer an abortion; or

19 (2) grant funds to an abortion provider or an
20 affiliate of an abortion provider.

21 (c) The commission may not use more than three percent of
22 funding allocated to the program to:

23 (1) administer the program; and

24 (2) procure evaluator services under Section 54.007.

25 SECTION 14. Section 118.022(b), Local Government Code, is
26 amended to read as follows:

27 (b) The comptroller shall deposit the money received under

1 Subsection (a)(1) to the credit of the child abuse and neglect
2 prevention trust fund account established under Section 137.054
3 [~~40.105~~], Human Resources Code.

4 SECTION 15. (a) On September 1, 2024, all powers, duties,
5 functions, programs, employees, administrative support services,
6 contracts, property, records, and other resources necessary to
7 comply with this Act are transferred from the Department of Family
8 and Protective Services to the Health and Human Services
9 Commission, including the operating fund and trust fund under
10 Subchapter B, Chapter 137, Human Resources Code, as amended by this
11 Act.

12 (b) The Health and Human Services Commission shall, not
13 later than September 1, 2025, develop and implement its initial
14 five-year strategic plan under Section 137.005, Human Resources
15 Code, as amended by this Act. The initial plan must additionally
16 include plans to develop and implement the system of family support
17 programs under Section 137.003(a)(2), Human Resources Code, as
18 amended by this Act.

19 SECTION 16. The following provisions of the Family Code are
20 repealed:

- 21 (1) the heading to Chapter 265;
- 22 (2) the heading to Subchapter D, Chapter 265; and
- 23 (3) Section 265.151.

24 SECTION 17. This Act takes effect September 1, 2023.