

## **BILL ANALYSIS**

Senate Research Center  
81R14526 MCK-D

C.S.S.B. 69  
By: Nelson, Davis, Wendy  
Health & Human Services  
3/25/2009  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

C.S.S.B. 69 builds on S.B. 6, 79th Legislature, Regular Session, 2005, and S.B. 758, 80th Legislature, Regular Session, 2007, to strengthen the foster care system by providing better care for abused, neglected, and abandoned children.

C.S.S.B. 69 clarifies foster care processes at the Department of Family and Protective Services (DFPS), emphasizes community resources for foster youth aging out of the system, and allows foster parents to provide feedback. C.S.S.B. 69 requires DFPS to study the feasibility of implementing a financial incentive program to encourage foster children to achieve and maintain the progress goals set under each child's individualized treatment or service plan. The bill also modifies provisions relating to changes in a child's placement, including the frequency and process for such changes.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 264, Family Code, by adding Section 264.015, as follows:

Sec. 264.015. COLOCATION OF CERTAIN EMPLOYEES. (a) Defines "conservatorship services."

(b) Authorizes the Department of Family and Protective Services (DFPS), to the extent feasible, to contract with child-placing agencies throughout the state to provide office space for DFPS employees who provide conservatorship services and employees who perform licensing functions.

SECTION 2. Amends Section 264.101, Family Code, by adding Subsection (g), as follows:

(g) Requires DFPS to study the feasibility of implementing a financial incentive program to encourage foster children to achieve and maintain the progress goals set under each child's individualized treatment or service plan. Requires that the study, at a minimum, include an analysis of the cost, benefits, and types of incentives that would be of value to foster children. Requires DFPS, not later than December 1, 2010, to report its findings and recommendations to the speaker of the house of representatives, the lieutenant governor, the House Human Services Committee or its successor, and the Senate Health and Human Services Committee or its successor. Provides that this subsection expires January 1, 2011.

SECTION 3. Amends Subchapter B, Chapter 264, Family Code, by adding Sections 264.119 and 264.120, as follows:

Sec. 264.119. NOTICE OF CHANGE OF PLACEMENT. (a) Requires DFPS, except in the case of an emergency or as otherwise provided by a court order, to provide written notice to the substitute care provider and any child-placing agency involved with the child before DFPS is authorized to change the child's substitute care provider.

(b) Requires DFPS to provide the notice required under Subsection (a) not later than the fifth day before the date the child's substitute care provider is changed.

Sec. 264.120. EXIT SURVEY. (a) Requires DFPS to adopt a policy that provides for an exit survey of each foster parent who decides to leave the foster care system.

(b) Requires DFPS to encourage the foster parent to state in the foster parent's own words the reasons why the foster parent decided to leave the foster care system.

(c) Requires DFPS to submit a report summarizing the results of the exit surveys to the speaker of the house of representatives, the lieutenant governor, the House Human Services Committee or its successor, and the Senate Health and Human Services Committee or its successor not later than December 1 of each odd-numbered year.

SECTION 4. Amends Section 264.121, Family Code, by adding Subsection (d), as follows:

(d) Requires DFPS to ensure that each individual enrolled in the Preparation for Adult Living Program receives information about the community resources that are available in the county in which the individual intends to reside to assist the individual in obtaining employment, job training, educational services, housing, food, and health care. Requires DFPS, if there are no community resources available in the county in which the individual intends to reside, to ensure that the individual receives information about any community resources that are available in the surrounding counties.

SECTION 5. Amends Subchapter B, Chapter 264, Family Code, by adding Section 264.123, as follows:

Sec. 264.123. FOSTER PARENT MENTORS. Requires DFPS to establish a program under which the foster parents of a child are authorized to provide mentoring services to the child's parents to assist the child's parents in complying with the terms of the service plan.

SECTION 6. Amends Sections 42.0221(d), (e), and (f), Human Resources Code, as follows:

(d) Requires the Committee on Licensing Standards (committee) to meet three times a year, rather than twice a year, at the call of the presiding officer. Requires that at least one meeting each year to provide an opportunity for public testimony.

(e) Requires that the review and analysis by the committee include the analysis of certain information, including DFPS's policies, standards, and procedures relating to the licensing of foster care providers and consider modifications to the policies, standards, and procedures to increase the capacity of a foster care provider while continuing to ensure the health and safety of children placed in the care of the foster care provider.

(f) Requires the committee to report its findings and recommendations to DFPS and the legislature not later than September 1 of each year, rather than December 1 of each year.

SECTION 7. Effective date: September 1, 2009.