

BILL ANALYSIS

C.S.S.B. 452
By: West
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Evidence-based practice requirements help the state provide high-quality services for children and families across Texas in situations where there is a risk of abuse or neglect. It has been suggested that statutory provisions relating to prevention and early intervention services must be updated to ensure that the state provides the best possible prevention programming and services intended to prevent child abuse or neglect. C.S.S.B. 452 seeks to provide for these updates.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 452 repeals Section 265.151(a), Family Code, which requires a parenting education program provided by the Department of Family and Protective Services (DFPS) to be an evidence-based program or a promising practice program and amends the Family Code to make requirements relating to parenting education programs provided by DFPS, including requirements relating to program outcomes and program evaluation by DFPS applicable to prevention and early intervention programs or practices. The bill also makes the annual report required to be submitted by DFPS to the standing committees of the senate and house of representatives with jurisdiction over child protective services applicable to prevention and early intervention programs or practices and specifies that the goals and achieved outcomes to be included in the report apply to implemented programs and practices.

C.S.S.B. 452 adds to the criteria for a program or practice to be considered evidence-based that the program or practice is one associated with an organization in Texas, a national organization, an institution of higher education, or a national or state public health institute. The bill establishes the following criteria for a program or practice to be considered evidence informed:

- combines well-researched interventions with clinical experience and ethics, and client preferences and culture, to guide and inform the delivery of treatments and services;
- has an active impact evaluation of the program or practice or demonstrates a schedule for implementing an active impact evaluation of the program or practice;
- substantially complies with a program or practice manual or design that specifies the purpose, outcome, duration, and frequency of the program or practice services; and
- employs well-trained and competent staff and provides continual relevant professional development opportunities to the staff.

The bill revises the outcome requirements for evidence-based prevention and early intervention programs and practices to do as follows:

- clarify that the outcome related to increased school readiness applies to increased readiness for and participation and performance in school;
- clarify that the outcome related to parenting skills such as nurturing and bonding applies to increased protective factors, including nurturing, bonding, and other parenting skills; and
- include reduced youth involvement with the criminal justice system.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 452 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

Whereas the engrossed included home visitation programs among the programs subject to a requirement that DFPS ensure that not less than 75 percent of the money appropriated funds evidence-based programs or practices, the substitute does not.

The substitute does not include provisions which were in the engrossed establishing the following criteria for a program or practice to be considered an evidence-based or promising program or practice:

- that it be listed as an evidence-based program or practice or promising program or practice, as applicable, by a nationally recognized clearinghouse associated with a state or federal agency or an institution of higher education or, during the preceding 10 years, has been subject to a certain number of external evaluations that showed positive results and were published in peer-reviewed literature; and
- that it demonstrate substantial connections to other community-based services.

Whereas the engrossed removed existing criteria for a program or practice to be evaluated by at least one rigorous, random, controlled research trial across heterogeneous populations or communities with research results that have been published in a peer-reviewed journal or be evaluated by at least one outcome-based study demonstrating effectiveness or random, controlled trial in a homogeneous sample, as applicable, to be considered an evidence-based program or practice or a promising program or practice, the substitute retains that statutory language.

The substitute does not include as potential favorable outcomes required to be ensured by DFPS for a prevention and early intervention program or practice improved maternal and child health and increased protective factors for youth, whereas the engrossed included these outcomes.