

- SUBJECT:** Establishing a child welfare task force
- COMMITTEE:** Human Services — committee substitute recommended
- VOTE:** 7 ayes — Frank, Hinojosa, Clardy, Deshotel, Klick, Meza, Noble
- 0 nays
- 2 absent — Miller, Rose
- WITNESSES:** For — Brandon Logan, 2INgage; Andrew Brown, Texas Public Policy Foundation; Angel Carroll; Jimmy Vaughn; (*Registered, but did not testify*: Jo DePrang, Children's Defense Fund-Texas; Girien Salazar, Christian Life Commission-BGCT; Will Francis, National Association of Social Workers-Texas Chapter; Linda Garcia, Our Community Our Kids; Michael Barba, Texas Catholic Conference of Bishops; Steve Koebele, Texas Coalition of Homes for Children; Lauren Rose, Texas Network of Youth Services)
- Against — None
- On — Kristene Blackstone, Department of Family and Protective Services; (*Registered, but did not testify*: Liz Kromrei, Department of Family and Protective Services; Alyssa Jones, Texas Alliance of Child and Family Services)
- BACKGROUND:** Family Code ch. 264, subch. B-1 governs the state's community-based care program, a form of foster care in which the Department of Family and Protective Services contracts with community-based nonprofit and local government entities with the ability to provide child welfare services, including direct case management to ensure child safety, permanency, and well-being, in accordance with state and federal child welfare goals.
- DIGEST:** CSHB 3950 would establish a child welfare task force to develop a statewide plan for the continued implementation of community-based care

and the implementation of family preservation and other prevention services for the state's child welfare system.

Task force. The task force would be composed of nine voting members. Of these, three members would be appointed by the governor, three would be members of the Senate and appointed by the lieutenant governor, and three would be members of the House of Representatives and appointed by the speaker. The task force would elect a chair and vice chair from its membership.

The task force would meet at least quarterly at the call of the chair and could consider public testimony. It could meet by conference call, videoconference, or another similar telecommunication method. All meetings would be subject to the state's Open Meetings law.

Task force members would not be entitled to compensation for service on the task force but would be entitled to reimbursement for actual and necessary expenses incurred in performing task force duties. The task force could accept gifts, grants, and donations to pay for those expenses.

The task force could request relevant information from the Health and Human Services Commission (HHSC), the Department of Family and Protective Services (DFPS), or other relevant state agencies, and those entities would be required to comply unless otherwise prohibited by state or federal law.

The task force would be permitted to use available resources to contract with a third-party consultant and employ full-time staff and would be administratively attached to HHSC for contracting purposes. Task force members and personnel could be appointed or employed from different catchment areas in the state.

Statewide plan. The child welfare task force would be responsible for developing a statewide plan for the continued implementation of family-based care and related services. This plan would have to:

- identify sources of funding, including the development of a robust financial methodology, for the continued implementation of community-based care and family preservation and other related prevention services;
- include a timeline for the complete implementation of the plan and identify additional resources that DFPS would need to meet the timeline;
- identify barriers to using federal and state money and necessary purchased services to keep more children and youth safely with their families, including by reviewing and maximizing prevention and early intervention services available in the state and any services related to families entering the child protective services system;
- identify all sources of flexible funding under federal and state law that could be used to support community-based care, family preservation, and related prevention services, including placing children in settings eligible for federal funding under the federal Family First Prevention Services Act; and
- identify legislative or regulatory barriers to full implementation of community-based care.

Deadlines. The task force would have to submit a written report by September 1, 2020, on the statewide plan to the governor, lieutenant governor, House speaker, and each member of the standing legislative committees with primary jurisdiction over child welfare issues.

The task force would have to continue to monitor the implementation of community-based care and related services, as well as the implementation plan developed by DFPS. A final evaluation of the implementation of community-based care would have to be submitted to the governor, lieutenant governor, House speaker, and standing legislative committees with primary jurisdiction over child welfare by December 30, 2024.

The task force would be abolished and the bill would expire on December 31, 2024. The bill would not supersede or limit DFPS's duty to develop and maintain the community-based care implementation plan.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

NOTES:

According to the Legislative Budget Board, the bill would result in a negative impact of about \$670,000 in general revenue related funds through fiscal 2020-21.