

**SUBJECT:** Revising regulations for children's advocacy centers

**COMMITTEE:** Human Services — favorable, without amendment

**VOTE:** 7 ayes — Frank, Hinojosa, Deshotel, Klick, Meza, Miller, Noble  
0 nays  
2 absent — Clardy, Rose

**SENATE VOTE:** On final passage, April 11 — 31-0, on Local and Uncontested Calendar

**WITNESSES:** For — Christina Green, Children's Advocacy Centers of Texas, Inc.;  
(*Registered, but did not testify*: Christine Yanas, Methodist Healthcare Ministries of South Texas, Inc.; Will Francis, National Association of Social Workers - Texas Chapter; Kate Murphy, Texans Care for Children; Sarah Crockett, Texas CASA; Darren Whitehurst, Texas Medical Association; Lauren Rose, Texas Network of Youth Services; Kevin Stewart, Texas Psychological Association; Jennifer Lucy, TexProtects; Nataly Saucedo, United Ways of Texas; Knox Kimberly, Upbring)  
  
Against — Johana Scot, Parent Guidance Center; Julia Hatcher  
  
On — (*Registered, but did not testify*: Liz Kromrei, Department of Family and Protective Services)

**BACKGROUND:** Family Code ch. 264, subch. E governs children's advocacy centers, multidisciplinary teams, and their related duties.  
  
On the execution of a memorandum of understanding, a children's advocacy center may be established to serve a county or two or more contiguous counties. These centers assess victims of child abuse and their families to determine their need for services related to the investigation of child abuse and provide those services. Centers also must provide a facility at which a multidisciplinary team can meet to facilitate the efficient and appropriate disposition of child abuse cases through the civil

and criminal justice systems.

**DIGEST:** SB 821 would amend a children's advocacy center's duties and a multidisciplinary team's membership and response. The bill would require a center to adopt a multidisciplinary team working protocol and enter into a memorandum of understanding regarding participation in the multidisciplinary team response.

**Duties.** The bill would require a children's advocacy center to:

- receive, review, and track Department of Family and Protective Services (DFPS) reports related to the suspected abuse or neglect of a child or the death of a child from abuse or neglect;
- coordinate participating agencies' activities related to abuse and neglect investigations and the delivery of services to alleged abuse and neglect victims and their families;
- facilitate assessment of alleged abuse or neglect victims and their families to determine their need for services and provide those needed services; and
- comply with adopted standards.

These duties would not relieve DFPS or a law enforcement agency of its responsibility to investigate a report of abuse or neglect as required by other law.

A center also would have to provide:

- facilitation of a multidisciplinary team response to abuse or neglect allegations;
- a formal process that required the multidisciplinary team to discuss and share information regarding investigations, case status, and services needed by children and families;
- a system to monitor case progress and track outcomes;
- a child-focused setting that was comfortable, private, and safe for diverse populations;
- culturally competent services for children and families throughout

- the duration of a case;
- victim support and advocacy services for children and families;
- forensic interviews that were conducted in a neutral, fact-finding manner and coordinated to avoid duplicative interviewing;
- access to specialized medical evaluations and treatment services for victims of alleged abuse or neglect;
- evidence-based, trauma-focused mental health services for children and non-offending members of the child's family; and
- opportunities for community involvement through a volunteer program supporting the center.

**Multidisciplinary team.** A center's multidisciplinary team would have to include employees of the participating agencies that entered into a memorandum of understanding with the center. SB 821 would allow a representative of any other entity to participate in the multidisciplinary team response if the entity met certain criteria.

A multidisciplinary team would be actively involved in the team's response, coordinating the actions of participating agencies involved in the investigation and prosecution of cases and the delivery of services to alleged abuse or neglect victims and the victims' families.

Under circumstances specified in the bill, DFPS would be required to refer a case to a center when conducting an investigation of reports of abuse or neglect made by certain professionals. The center would have to initiate a response by the center's multidisciplinary team.

**Memorandum of understanding.** A children's advocacy center would be required to enter into a memorandum of understanding regarding participation in the multidisciplinary team response. The center and each of the following agencies would have to execute the memorandum:

- the Department of Family and Protective Services;
- each county and municipal law enforcement agency with jurisdiction to investigate child abuse and neglect in the center's service area; and

- each county or district attorney with jurisdiction to prosecute child abuse and neglect cases in the center's service area.

An executed memorandum of understanding would include each participating agency's agreement to cooperate in:

- minimizing the revictimization of alleged abuse and neglect victims and nonoffending family members through the investigation, assessment, intervention, and prosecution processes; and
- maintaining a cooperative team approach to facilitate successful outcomes in the criminal justice and child protection systems through shared fact-finding and collaborative case development.

The bill would require memoranda of understanding to be re-executed at least every three years, on a significant change to the memorandum, or on a change of a participating agency's signatory.

**Working protocol.** The bill would require a children's advocacy center to adopt a multidisciplinary team working protocol, which would have to include:

- the center's mission statement;
- each participating agency's role on the multidisciplinary team and the agency's commitment to the center;
- specific criteria for the referral of cases for a multidisciplinary team response and specific criteria for the referral and provision of each service provided by the center; and
- provisions for addressing conflicts within the multidisciplinary team and for maintaining the confidentiality of shared information.

The protocol also would have to contain processes and general procedures for the availability outside scheduled business hours of a multidisciplinary team response and the provision of needed services as well as certain services as specified in the bill.

A working protocol would have to be executed by the participating agencies required to enter into the memorandum of understanding. Working protocols would have to be re-executed at least every three years, on a significant change to the working protocol, or on a change of a participating agency's signatory.

**Statewide organization.** The bill would require the Health and Human Services Commission (HHSC) to contract with one statewide organization that was exempt from federal income taxation and composed of individuals who had expertise in operating children's advocacy center programs. The organization would have to develop and adopt standards for centers and provide training, technical assistance, evaluation services, and funds administration to support contractual requirements for center programs.

The statewide organization would contract with eligible centers to establish, maintain, and enhance services provided by the centers. A public entity that operated as a children's advocacy center before November 1, 1995, or a nonprofit entity would be eligible for a contract with the statewide organization if the entity:

- had a signed memorandum of understanding;
- had a signed working protocol;
- had a governing board;
- had a multidisciplinary team and regularly convened the team;
- employed an executive director who was accountable to the entity's board of directors and who was not the exclusive salaried employee of any governmental agency; and
- fulfilled the required duties of a children's advocacy center.

**Other provisions.** SB 821 would limit the establishment of children's advocacy centers to only those counties or contiguous counties in which a center had not been established.

The bill would require requests for confidential information provided to a children's advocacy center to be submitted to the agency that shared or

provided the information.

The bill would repeal a provision requiring the commissioner of DFPS by rule to adopt standards for eligible local centers if DFPS entered into a contract with a statewide organization.

The bill would take effect September 1, 2019.

**SUPPORTERS  
SAY:**

SB 821 would update the Family Code to more clearly align statute with current practices, standards, services, and operations of children's advocacy centers. By clarifying statutory provisions, the bill would ensure child victims of alleged abuse and neglect had access to needed services. The bill also would hold such centers accountable by requiring them to comply with the statewide organization's adopted standards.

**OPPONENTS  
SAY:**

SB 821 should strengthen the accountability and transparency of children's advocacy centers by requiring each center to post a public notice specifying the services the center provides to children and their families.