

BILL ANALYSIS

Senate Research Center
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S.B. 219
By: Nelson
Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 219 seeks to ensure that children in foster care and kinship care receive needed mental health services and that professionals understand the impact of trauma on a child's mental health and behaviors.

This bill directs the Department of Family and Protective Services to expand trauma-informed care training and to study its effectiveness. It directs the Health and Human Services Commission (HHSC) to require STAR Health providers to receive trauma-informed care training under contract requirements and encourages providers to receive additional training. It directs HHSC to explore opportunities to increase STAR Health program providers' use of telemedicine medical services in medically underserved areas of the state and to encourage STAR Health program providers to use telemedicine medical services as appropriate. It requires a preliminary mental health screening at the child's first doctor's visit.

As proposed, S.B. 219 amends current law relating to health and mental health services for children in foster care and kinship care.

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 Section 264.015, Family Code, as follows:

Sec. 264.015. TRAINING. (a) Creates this subsection from existing text. Requires the Department of Family and Protective Services (DFPS) to include training in trauma-informed programs and services in any training DFPS provides to foster parents, adoptive parents, kinship caregivers, DFPS caseworkers, and DFPS caseworker superiors. Requires DFPS to pay for the training provided under this subsection, rather than section, with gifts, donations, and grants and any federal money available through the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Pub. L. No. 110-351). Requires DFPS to annually evaluate the effectiveness of the training provided under this subsection to ensure progress toward a trauma-informed system of care.

(b) Requires DFPS to require DFPS caseworkers and DFPS caseworker supervisors to complete an annual refresher training course in trauma-informed programs and services.

(c) Requires DFPS, in addition to the recipients of training under Subsection (a), to offer training in trauma-informed programs and services to court appointed special advocates, children's advocacy center staff, therapists at Department of Aging and Disability Services mental health centers, and domestic violence shelter staff.

(d) Requires DFPS to include trauma-informed programs and services training in parenting classes DFPS provides to parents receiving services from DFPS.

SECTION 2. Amends Section 531.0216, Government Code, by adding Subsection (c-1), as follows:

(c-1) Requires the Health and Human Services Commission (HHSC) to explore opportunities to increase STAR Health program providers' use of telemedicine medical services in medically underserved areas of this state, and encourage STAR Health program providers to use telemedicine medical services as appropriate.

SECTION 3. Amends Subchapter A, Chapter 533, Government Code, by adding Section 533.0052, as follows:

Sec. 533.0052. STAR HEALTH PROGRAM: CONTRACT PROVISIONS. (a) Requires that a contract between a managed care organization and HHSC for the organization to provide health care services to recipient under the STAR Health program include a requirement that each physician or provider under a managed care plan receive training in trauma-informed care.

(b) Requires HHSC to encourage each managed care organization providing health care services to recipients under the STAR Health program to include in a written agreement between the organization and a physician or provide under a managed care plan a requirement that the physician or provider receive training in post-traumatic stress disorder and attention-deficit/hyperactivity disorder within a reasonable time after the date the physician or provider begins providing services under the managed care plan.

SECTION 4. Amends Subchapter B, Chapter 32, Human Resources Code, by adding Section 32.0561, as follows:

Sec. 32.0561. PRELIMINARY BEHAVIORAL HEALTH ASSESSMENT. Requires a provider of health care to recipients under the STAR Health program, in addition to complying with the regimen of care prescribed by the Texas Health Steps program under Section 32.056 (Compliance with Texas Health Steps), to conduct a preliminary behavioral health assessment of each recipient who is a child during the child's initial visit to the provider.

SECTION 5. (a) Provides that Section 533.0052(a), Government Code, as added by this Act, applies only to a contract between HHSC and a managed care organization that is entered into or renewed on or after the effective date of this Act.

(b) Requires HHSC, to the extent permitted by law or the terms of the contract, to amend a contract entered into before the effective date of this Act with a managed care organization to require compliance with Section 533.0052(a), Government Code, as added by this Act.

SECTION 6. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes delay of implementation until such waiver or authorization is granted.

SECTION 7. Effective date: September 1, 2011.