

## **BILL ANALYSIS**

Senate Research Center  
82R7920 MCK/SJM-D

C.S.S.B. 219  
By: Nelson  
Health & Human Services  
3/9/2011  
Committee Report (Substituted)

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

C.S.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 HHSC to encourage providers to comply with requirements relating to mental health screenings for the children.

C.S.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 supervisors. 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 supervisors to complete an annual refresher training course in trauma-informed programs and services.

(c) Requires DFPS, to the extent that resources are available, to assist the following entities in developing training in trauma-informed programs and services and in locating money and other resources to assist the entities in providing trauma-informed programs and services:

(1) court-appointed special advocate programs;

(2) children's advocacy centers;

(3) local community mental health centers created under Section 534.001 (Establishment), Health and Safety Code; and

(4) domestic violence shelters.

(d) Requires DFPS to encourage programs that provide parenting classes to parents receiving services from DFPS to use trauma-informed programs and services in those classes.

SECTION 2. Amends Section 531.0216, Government Code, by adding Subsection (c-1) to require 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 Sections 533.0052 and 533.0053, as follows:

Sec. 533.0052. STAR HEALTH PROGRAM: TRAUMA-INFORMED CARE TRAINING. (a) Requires that a contract between a managed care organization and HHSC for the organization to provide health care services to recipients under the STAR Health program include a requirement that trauma-informed care training be offered to each contracted physician or provider.

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

Sec. 533.0053. COMPLIANCE WITH TEXAS HEALTH STEPS. Requires HHSC to encourage each managed care organization providing health care services to a recipient under the STAR Health program to ensure that the organization's network provider comply with the regimen of care prescribed by the Texas Health Steps program under Section 32.056 (Compliance With Texas Health Steps), Human Resources Code, if applicable, including the requirement to provide a mental health screening during each of the recipient's Texas Health Steps medical exams conducted by a network provider.

SECTION 4. (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 5. 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 6. Effective date: September 1, 2011.