

## **BILL ANALYSIS**

Senate Research Center  
86R34925 SCL-F

C.S.H.B. 3950  
By: Frank et al. (Kolkhorst)  
Health & Human Services  
5/19/2019  
Committee Report (Substituted)

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

C.S.H.B. 3950 amends current law relating to the establishment of the Joint Committee on Child Welfare.

### **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. (a) Defines "commission" to mean the Health and Human Services Commission (HHSC), defines "committee" to mean the Joint Committee on Child Welfare (committee), defines "department" to mean the Department of Family and Protective Services (DFPS), and defines "community-based care."

(b) Provides that the committee is composed of nine voting members as follows:

- (1) three members appointed by the governor;
- (2) three members of the senate, appointed by the lieutenant governor; and
- (3) three members of the house of representatives, appointed by the speaker of the house of representatives.

(c) Requires the lieutenant governor and speaker of the house of representatives to each appoint a member described by Section (b)(2) or (3) of this section, respectively, to serve as joint chairs of the committee.

(d) Requires the committee to meet at least quarterly at the call of the joint chairs and authorizes the committee to consider public testimony.

(e) Authorizes the committee to employ persons necessary to carry out this section through funds made available by the legislature.

(f) Requires the committee to monitor and report to the legislature on the following related to the implementation of community-based care and the federal Family First Prevention Services Act (Title VII, Div. E, Pub. L. No. 115–123):

- (1) all sources of funding for the continued implementation of community-based care and family preservation and other related prevention services;
- (2) a timeline for the complete implementation of community-based care and additional resources DFPS will required to meet that timeline, including enhanced training related to procurement, contract monitoring and enforcement services, information technology services, and financial and legal services;

(3) barriers to using federal and state money and necessary purchased services to achieve greater numbers of children and youth who remain safely with their families by reviewing and effectively maximizing:

(A) the prevention and early intervention services currently available in this state; and

(B) any services relating to families entering the child protective services system;

(4) the placement of children in settings eligible for federal financial participation under the requirements of the Federal Family First Prevention Services Act;

(5) any other beneficial programs or services available under the Federal Family First Prevention Services Act; and

(6) legislative or regulatory barriers to full implementation of community-based care.

(g) Authorizes the committee to request relevant information from HHSC, DFPS, or other relevant state agencies, and provides that HHSC, DFPS, or other agencies are required to comply with the request, unless the provision of the information is prohibited by state or federal law.

(h) Requires the committee to submit a written report described by Subsection (f) of this section to the governor, lieutenant governor, the speaker of the house of representatives, and each member of the standing committees of the senate and house of representatives having primary jurisdiction over child welfare issues not later than September 1, 2020.

(i) Requires the committee to monitor the continued implementation of community-based care and family preservation and other related prevention services, and the implementation plan developed by DFPS under Section 264.153 (Community-Based Care Implementation Plan), Family Code.

(j) Requires the committee to submit a final evaluation of the implementation of community-based care to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the standing committees of the senate and house of representatives having primary jurisdiction over child welfare issues not later than December 30, 2024.

(k) Provides that the committee is abolished and this Act expires December 31, 2024.

SECTION 2. Effective date: upon passage or September 1, 2019.