

BILL ANALYSIS

Senate Research Center
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S.B. 1279
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Evidence-based practice (EBP) requirements help the state provide high quality services for children and families across Texas in situations in which there is a risk of abuse or neglect. At present, the Texas Family Code definitions for EBP prevention and early intervention programs and services are written narrowly, excluding effective services that have evidence of positive outcomes. In order to ensure Texas provides the best possible prevention programming and services, the definition should be updated to include all high quality services that have evidence of their effectiveness.

S.B. 1279 updates statutory provisions related to evidence-based programs and practices intended to prevent child abuse or neglect.

Note: There will be a committee substitute for this bill, reflecting changes requested by the Department of Family and Protective Services.

As proposed, S.B. 1279 amends current law relating to prevention and early intervention programs and practices.

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 264.201(d) Family Code, as follows:

(d) Requires a program or practice, if the Department of Family and Protective Services (DFPS) requires or a court orders parenting skills training services through a prevention and early intervention program or practice, rather than a parenting education program, to be an evidence-based program or practice, promising program or practice, or evidence-informed program or practice, rather than an evidence-based, or promising program described by Section 265.151 (Parenting Education Programs) that is provided in the community in which the family resides, if available.

SECTION 2. Amends Section 265.004 (a-1), Family Code, as follows:

(a-1) Requires DFPS to ensure that not less than 75 percent of the money appropriated for parenting education programs under Subsection (a) funds evidence-based programs or practices described by Section 265.151(b) (relating to an evidence-based program that is a parenting education program) and that the remainder of that money funds promising programs or practices described by Section 265.151(c) (relating to a promising practice program that is a parenting education program) and evidence-informed programs or practices described by Section 265.151(d). Makes conforming changes.

SECTION 3. Amends the heading to Subchapter D, Chapter 265, Family Code, to read as follows:

SUBCHAPTER D. EVIDENCE-BASED PROGRAMS AND PRACTICES

SECTION 4. Amends Section 265.151, Family Code, as follows:

Sec. 265.151. New heading: REQUIREMENTS FOR PROGRAMS AND PRACTICES ON EVIDENCE-BASED SPECTRUM. (a) Requires a prevention and early intervention program, or practice provided by DFPS, rather than a parenting education program, to be an evidence-based program or practice, a promising program or practice, or an evidence-informed program or practice described by this section.

(b) Provides that an evidence-based program or practice is a program or practice, rather than a parenting education program, that:

(1)–(2) makes no changes to these subdivisions;

(3) has demonstrated significant positive outcomes, as required by Section 265.152, rather than significant positive short-term and long-term outcomes;

(4) is listed as an evidence-based program or practice by a nationally recognized clearinghouse associated with a state or federal agency or an institution of higher education. Deletes existing text providing that an evidence-based program is one that has been evaluated by at least one rigorous, random, enrolled research trial across heterogeneous populations or communities with research results that have been published in a peer-reviewed journal;

(5) substantially complies with a program or practice manual or design that specifies the purpose, outcomes, duration, and frequency of the program or practice services;

(6) makes a nonsubstantive change to this subdivision;

(7) is associated with a national organization, institution of higher education, or national or state public health institute;

(8) demonstrates substantial connections to other community-based services; and

(9) for crisis counseling, individual therapy, family therapy, clinical services, and other recognized professional practices requires:

(A) providers to meet any state requirements for professional licensure or certification; and

(B) practices to have empirical evidence to support the effectiveness of the practice.

(c) Provides that a promising program or practice is a parenting education program or practice that:

(1) has an active impact evaluation program or practice or demonstrates a schedule for implementing an active impact evaluation program or practice;

(2) is listed as a promising program or practice by a nationally recognized clearinghouse associated with a state or federal agency or an institution of higher education. Deletes existing text that provides that a promising program or practice is a practice that has been evaluated by at least one

outcome-based study demonstrating effectiveness or random, controlled trial in a homogeneous sample;

(3)–(5) makes nonsubstantive and conforming changes; and

(6) demonstrates substantial connections to other community-based services.

(d) Provides that an evidence-informed program or practice is a program or practice that:

(1) combines well-researched interventions with clinical experience, ethics, and client preferences and culture to guide and inform the delivery of treatments and services;

(2) has an active impact evaluation program or demonstrates a schedule for implementing an active impact evaluation program;

(3) substantially complies with a program or practice manual or design that specifies the purpose, outcome, duration and frequency of the program or practice services; and

(4) employs well-trained and competent staff and provides continual relevant professional development opportunities to the staff.

SECTION 5. Amends Section 265.152, Family Code, as follows:

Sec. 265.152. New heading: **OUTCOMES OF PREVENTION AND EARLY INTERVENTION PROGRAMS AND PRACTICES**. Requires DFPS to ensure that a prevention and early intervention program, rather than a parenting education program, provided under this subchapter, rather than chapter, achieves favorable behavioral outcomes in at least two of the following areas:

(1) makes no changes to this subdivision;

(2) increased readiness for and participation and performance in school, rather than increased school readiness of children;

(3)–(4) makes no changes to these subdivisions;

(5) improved social-emotional development of children and youth;

(6) increased protective factors, including nurturing, bonding, and other parenting skills, rather than improved parenting skills, including nurturing and bonding;

(7) makes no changes to this subdivision;

(8) reduced parental or youth involvement and support;

(9) increased paternal involvement and support;

(10) improved maternal and child health; and

(11) increased protective factors for youth.

SECTION 6. Amends Section 265.153, Family Code, as follows:

Sec. 265.153. New heading: **EVALUATION OF PREVENTION AND EARLY INTERVENTION PROGRAMS AND PRACTICES**. (a) Requires DFPS to adopt outcome indicators to measure the effectiveness of prevention and early intervention

programs and practices provided under this subchapter, in achieving desired outcomes, rather than to measure the effectiveness of programs and practices provided under this chapter in achieving desired outcomes.

(b) Authorizes DFPS to work directly with the model developer of a prevention and early intervention program or practice, rather than a parenting education program, to identify appropriate outcome indicators for the program or practice and to ensure that the program or practice substantially compiles with the model.

(c) Requires DFPS to develop internal processes to share information with prevention and early intervention service providers, rather than parenting education programs, to assist DFPS in analyzing the performance of the programs or practices.

(d) Requires DFPS to use information obtained under this section to:

- (1) monitor prevention and early intervention program and practices, rather than parenting education programs;
- (2) continually improve the quality of the programs and practices; and
- (3) evaluate the effectiveness of the programs and practices.

SECTION 7. Amends Section 265.154, Family Code, as follows:

Amends Sec. 265.154. REPORTS TO LEGISLATURE. (a) Requires DFPS, not later than December 1 of each even-numbered year, to prepare and submit a report on state-funded prevention and early intervention programs and practices, rather than parenting education programs, to the standing committees of the senate and house of representatives with jurisdiction over child protective services.

(b) Requires a report submitted under this section to include:

- (1) a description of the prevention and early intervention programs and practices, rather than parenting education programs, implemented and of the models associated with the programs and practices;
- (2) information on the families served by the programs and practices, including the number of families served and their demographic information;
- (3) the goals and achieved outcomes of the programs and practices;
- (4) makes no changes to this subdivision; and
- (5) information explaining the percentage of money spent on evidence-based programs and practices, on promising programs and practices, on promising programs and practices, and on evidence-informed programs and practices.

SECTION 8. Effective date: September 1, 2019.