



## 86<sup>th</sup> Legislature Key Bills that Passed

Updated May 30, 2019

### Aging Out of Care/Transitional Living

- HB 53 (Minjarez): Adds additional training opportunities for obtaining auto insurance, civic engagement, financial training, etc. for foster youth in preparation for adulthood.
- HB 123(White): Removes fee for foster youth and homeless youth for obtaining personal documentation such as a driver's license, birth certificate etc.

### RCCL/CCL

- SB 781 (Kolkhorst): Establishes new regulatory and licensure procedures for RTCs and GROs (see below)
- HB 2764 (Frank): Creates a 35-hour threshold for foster parent pre-service training with exceptions for high needs children, etc.
- SB 568 (Huffman): Adds administrative penalties for community organizations including a \$1,000 fine for abuse, neglect, or exploitation of a child. Language was added on the Senate side so community organizations would not be double-fined by both DFPS and HHSC.

### Strategic Plan

- SB 72 (Nelson): Establishes a human trafficking prevention council made up of various state agencies to develop a 5-year plan to prevent and address human trafficking statewide.
- SB 355 (West): Requires DFPS to implement a strategic plan to ensure prevention services in Texas meet the definition necessary to receive federal funds under the FFPSA.
  - House substitute includes Representative Frank's language in HB 3950 which requires DFPS to create an implementation plan for Community-Based Care and Families First Act.

### Kinship/Foster Care Support

- HB 1884 (Minjarez): Requires the court to inform a kinship family of the option to become verified by a CPA to operate an agency foster home and permanency care assistance program.
- HB 475 (Howard) Requires that children in state care who are pregnant or minor parents receive information on and support in providing safe environments for children, including sleeping arrangements, suggestions for childproofing potentially dangerous settings in a home; the importance of prenatal and postpartum care for both the mother and infant, and more.

### Other

- HB 72 (White): Allows for children adopted out of the foster care system who are or were on SSI to remain in the STAR Health program upon adoption if the family so chooses.
- HB 3809 (Goldman/Watson): Extends the statute of limitations for certain offenses involving sexual abuse from 15 years to 30 years.

### Education

- HB 811 (White): Requires school districts to consider when determining punishment if a child is in foster care and if the student is homeless.
- HB 1702 (Howard): Requires the foster care liaison at a college to obtain names annually of students at the institution who were in foster care and requires the college or university to public ally provide contact information for the liaison and information on supports for former foster youth.
- HB 692 (White): Disallows a school district from placing a homeless student in out-of-school suspension unless the student committed a drug, weapon, or violent offense outlined in statute.



- SB 1231 (Bettencourt): Informs private school administration and protect children in private schools by including private school administrators in the scope of notification and reporting requirements regarding certain child abuse and neglect investigations performed by DFPS.
- HB 1709 (Gonzalez): Clarifies that state employees are only prohibited from acting as surrogates if they are employed by agencies involved in the education or care of the child, requires school districts to notify DFPS when surrogates are appointed, and clarifies that if a court appoints a surrogate who the school district finds is not performing their duties, the district must consult with DFPS to request that the court remove the surrogate from their appointment.

#### **SB 781**

- Filed by Chair Kolkhorst, sponsor Representative Leman

The current version of the bill contains the following provisions:

- The state agency must develop a trauma-informed strategy, in rule, to reduce the number of runaway incidents that considers normalcy
- DFPS shall consider the strength of the operational plan, regulatory history and performance history of the contractor
- DFPS shall develop a strategic plan, by Sept 1, 2020, for implementation of FFPSA – residential, including assessment of fiscal implications for QRTPs
- Strengthens CCL enforcement by noting violations related to death or near death, patterns of violations
- CCL may not issue a license to an applicant who voluntarily closed a facility/home in lieu of disciplinary action
- New applicants for RTCs must submit an operational plan:
  - Community engagement plan
  - Summary of discussions with law enforcement, health, and other resources, social interaction opportunities
  - Educational plan
  - Trauma-informed plan that addresses runaways
  - Qualifications, background and history of management
- Prior to approving a new license, CCL may consider: community support, impact on the school district, & operational plan
- CCL and TEA collaboration on best practices for educational services
- County commissioner may request a public hearing prior to a renewal

**RTC** – Residential Treatment Center

**GRO** – General Residential Operations

**FFPSA** – Family First Prevention Services Act

**SSI** – Supplemental Security Income

**STAR** – Services to At-Risk youth

**QRTP** – Qualified Residential Treatment Program

**CCL** – Child Care Licensing

**TEA** – Texas Education Agency