

OK FOR DISTRIBUTION  
CHAIRMAN RAYMOND



RICHARD PEÑA RAYMOND  
CHAIR

NAOMI GONZALEZ  
VICE CHAIR



MEMBERS:  
ELLIOTT NAISHTAT  
JOHN ZERWAS  
SCOTT SANFORD  
SCOTT TURNER  
PAT FALLON  
TONI ROSE  
STEPHANIE KLICK

## TEXAS HOUSE OF REPRESENTATIVES COMMITTEE ON HUMAN SERVICES

Weekly Newsletter  
March 12, 2013 Hearing

### *Bills Considered by Chairman Raymond's Committee*

#### **HB 748: Innovation Strategies in Child Welfare Programs**

**Author: Chairman Richard Peña Raymond**

On September 30, 2011, President Obama signed into law the Child and Family Services Improvement and Innovation Act. Among other changes, this act extended through fiscal year 2014 the authority of the secretary of the U.S. Department of Health and Human Services to approve certain child welfare demonstration projects to test innovative strategies in child welfare programs.



Currently, Texas receives Title IV-E funding, which assists the state in providing foster care and adoption services. Without a proper waiver, Title IV-E funding cannot be used for preventive services or for services after a family has reunified in order to ensure that the reunification is safe and permanent. HB 748 seeks to address the limitation on the current use of Title IV-E funding by directing the state to seek the appropriate Title IV-E waiver.

**HB 1098: Family Cost Share Provisions in the Early Childhood Intervention Program**  
**Author: Rep. John Zerwas**

Family cost share provisions currently generate less than one percent of the overall budget for the early childhood intervention program (ECI) within the Department of Assistive and Rehabilitative Services (DARS). Because local ECI providers do not currently submit to DARS information specifically relating to the administration of the family cost share system or enter adjusted gross income through the data system used for collecting and maintaining ECI information, DARS does not have the information necessary to make informed recommendations to increase revenue from family cost share provisions. HB 1098 seeks to ensure that DARS is able to obtain the information necessary to consider changes to the early childhood intervention program by providing a mechanism by which the department can acquire certain data.



**HB 1100: Contracts with Children's Advocacy Centers**  
**Author: Rep. John Otto**



Children's Advocacy Centers of Texas, Inc. (CACTX) is the state membership organization for all of the local children's advocacy centers across the state. Over the past few years, CACTX has worked with stakeholders to update and elevate the statewide standards that govern the type of services provided by each local center and, as a result of this work, has compiled a set of evidence-based standards reflective of best practices in the field for the delivery of center services. While many centers are already implementing these practices, HB 1100 intends to codify these new standards.

**HB 909: Medicaid Personal Needs Allowance for Residents of Long-Term Care Facilities**  
**Author: Rep. Naomi Gonzalez**

Federal law mandates that Medicaid recipients who reside in long-term care facilities have a portion of their benefits set aside for an allowance to purchase items that contribute to a sense of health and dignity, such as clothing, toiletries, and hair care products. This personal needs allowance is critical to the well-being of many long-term care residents who do not have families to help with these expenses or whose families are too indigent to help.



Because the personal needs allowance has not been statutorily adjusted for almost a decade and has not kept up with inflation and cost of living increases during that time, the allowance has not been meeting its intended purpose of giving senior and disabled citizens some financial flexibility with their Medicaid benefits, the vast majority of which go toward covering the cost of their institutional long-term care services. HB 909 seeks to give certain senior and disabled Medicaid recipients more resources to take care of their personal needs by adjusting the personal needs allowance.

## **HB 1206: Law Enforcement Duties Regarding Missing Children**

**Author: Rep. Tan Parker**



Recent legislation created the Parental Rights Advisory Panel to study and provide recommendations to the legislature regarding a parent's right to possession of or access to the parent's child, including interference with that right by the other parent in certain circumstances. The panel has recommended that current law be amended to better address circumstances in which a court order determining custodial rights to a child is not in place and a child is missing and suspected to have been taken by one of the child's parents with the purpose of depriving the other parent of the parent's rights or access to the child. Children

missing under these circumstances can be in an immediate threat of danger. HB 1206 seeks to address this concern and to implement the recommendations of the panel by authorizing law enforcement to search for a child missing under these circumstances and, after finding the child, assess whether the child has been subjected to abuse.

## **HB 1227: Internet Application for CPS Case Information**

**Author: Rep. Dawnna Dukes**

While a court-appointed volunteer advocate, sometimes known as a court-appointed special advocate or CASA volunteer, has access to certain information regarding the child for which the advocate is providing services, that volunteer advocate is required to stay inside the Child Protective Services office to look through records until he or she finds the information needed. HB 1227 seeks to allow a volunteer advocate to quickly and securely access information in a child's case file through an automated case tracking and information management system.



## **HB 1267: Home and Community-Based Services Waiver Programs**

**Author: Rep. Ryan Guillen**



The Legislature has charged the Health and Human Services Commission (HHSC) with expanding the state's managed care while simultaneously protecting federal funding streams. HHSC has collaborated with the Centers for Medicare and Medicaid Services to design a waiver program that fulfills these two mandates. HB 1267 intends to provide for such a waiver program.

## **HB 1648: Confidentiality of Information Held by the DFPS**

**Author: Chairman Richard Peña Raymond**

Current law does not adequately provide for the confidentiality of photographs, videotape, audiotape, and other visual or audio depictions or recordings of a child made by the Department of Family and Protective Services in the course of an inspection or investigation. Given the sensitive nature of the circumstances that led to the visual or audio recordings of these children, many of whom have been physically or mentally abused, HB 1648 seeks to exempt these types of recordings from release under public information laws.



### ***Bills Voted Out of Committee***

**HB 764:** Relating to verification of the unavailability of community day care before the Department of Family and Protective Services provides day-care assistance or services. Reported favorably as substituted.  
**Author: Rep. Ryan Guillen and Chairman Richard Peña Raymond**

**HB 908:** Relating to the assessment of an elderly or disabled person's psychological status for purposes of an emergency order authorizing protective services.  
**Author: Rep. Poncho Nevárez**

**HB 1180:** Relating to foster care placement decisions made by the Department of Family and Protective Services. Reported favorably as substituted  
**Author: Rep. Philip Cortez**

**HB 445:** Relating to the creation of the individual development account program to provide savings incentives and opportunities for certain foster children to pursue home ownership, postsecondary education, and business development.  
**Author: Rep. Dawnna Dukes and Rep. Elliott Naishtat**

**HB 969:** Relating to student loan repayment assistance for certain child protective services workers.  
**Author: Rep. Dawnna Dukes**

**HB 473:** Relating to the provision under the medical assistance program of certain medications to children younger than five years of age.  
**Author: Rep. Sylvester Turner**

**HB 1100:** Relating to eligibility of children's advocacy centers for contracts to provide services for children and family members in child abuse and neglect cases. Reported favorably as substituted.

**Author: Rep. John Otto**

**HB 748:** Relating to a waiver allowing the Health and Human Services Commission to use certain federal funds to test innovation strategies in child welfare programs. Reported favorably as substituted.

**Author: Chairman Richard Peña Raymond**

**HB 1648:** Relating to the confidentiality of certain information held by the Department of Family and Protective Services. Reported favorably as substituted.

**Author: Chairman Richard Peña Raymond**

**Contact:**

Jim C. Terrell

Committee Clerk

512.463.0786

E2.152, Capitol Extension

The Texas House of Representatives is an Equal Opportunity Employer and does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services. This newsletter is available in alternate forms upon request. Please call (512) 463-0558.

