By: Wu, Raymond, Davis of Harris, Rose, White, et al.

A BILL TO BE ENTITLED

AN ACT

relating to the provision of child protective services and other health and human services by certain state agencies; authorizing a fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 261, Family Code, is amended by adding Section 261.3017 to read as follows:

Sec. 261.3017. ABBREVIATED INVESTIGATION AND ADMINISTRATIVE CLOSURE OF CERTAIN CASES. (a) A department caseworker may refer a reported case of child abuse or neglect to a department supervisor for abbreviated investigation or administrative closure at any time before the 60th day after the date the report is received if:

(1) there is no prior report of abuse or neglect of the child who is the subject of the report;

(2) the department has not received an additional report of abuse or neglect of the child following the initial report; and

(3) either:

(A) after contacting a professional or other credible source, the caseworker determines that the child’s safety can be assured without further investigation, response, services, or assistance; or

(B) the caseworker determines that no abuse or
neglect occurred.

(b) A department supervisor shall review each reported case of child abuse or neglect that has remained open for more than 60 days and administratively close the case if the supervisor determines that the circumstances described by Subsections (a)(1)-(3) exist and that closing the case would not expose the child to an undue risk of harm.

(c) A department supervisor may reassign a reported case of child abuse or neglect that does not qualify for abbreviated investigation or administrative closure under Subsection (a) or (b) to a different department caseworker if the supervisor determines that reassignment would allow the department to make the most effective use of resources to investigate and respond to reported cases of abuse or neglect.

(d) The executive commissioner shall adopt rules necessary to implement this section.

(e) In this section, "professional" means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children. The term includes teachers, nurses, doctors, day-care employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile detention or correctional officers.

SECTION 2. Subchapter B, Chapter 262, Family Code, is amended by adding Sections 262.1041 and 262.1042 to read as
follows:

Sec. 262.1041. VOLUNTARY TEMPORARY CAREGIVER PROGRAM. (a) The Department of Family and Protective Services shall create a program that allows a child who is removed from the child's home under this chapter to be placed in the care of an individual approved as a voluntary temporary caregiver under this section.

(b) The department shall establish an application and verification process to approve individuals to serve as voluntary temporary caregivers. The department may charge each person applying to serve as a voluntary temporary caregiver an application fee in an amount reasonable and necessary to cover the cost of administering the program. The department's verification process must:

   (1) include a background and criminal history record check of each caregiver;

   (2) verify the caregiver:

      (A) has a home with adequate sleeping space for each child placed with the caregiver;

      (B) has six or fewer children in the caregiver's home, including the caregiver's own children and any children for whom the caregiver provides day care;

      (C) agrees to nonphysical discipline;

      (D) has had all pets in the caregiver's home vaccinated; and

      (E) maintains and submits to the department proof of current certification in first aid and cardiopulmonary resuscitation issued by the American Red Cross, the American Heart
Association, or another organization that provides equivalent training and certification;

(3) require each member of the caregiver's household to undergo a screening test for tuberculosis infection approved by the executive commissioner of the Health and Human Services Commission; and

(4) include any other administrative procedure the department determines is necessary to ensure the caregiver will provide a safe home for the child.

(c) The department shall require each voluntary temporary caregiver to receive four hours of training relating to child development and disciplinary techniques for children who are classified above a basic service level. A caregiver who applies to become a licensed or verified foster home shall receive a credit of four hours toward the training hours required by Section 42.0537, Human Resources Code, for a person to become a licensed or verified foster home.

(d) A voluntary temporary caregiver must agree to care for a child placed with the caregiver for at least 14 days.

(e) Except as provided by Subsection (f), a child may be placed with a voluntary temporary caregiver for not more than 14 days after the date the child is removed from the child's home.

(f) If the child's caseworker determines that it is in the child's best interest for the child to remain in the care of the voluntary temporary caregiver for more than 14 days, the caseworker may, if the voluntary temporary caregiver agrees:

(1) allow the child to remain in the care of the
voluntary temporary caregiver;

(2) designate the voluntary temporary caregiver as the
caregiver of the child under a parental child safety placement
agreement in accordance with Subchapter L, Chapter 264; or

(3) designate the voluntary temporary caregiver as a
designated caregiver of the child in accordance with Subchapter I,
Chapter 264.

(g) A voluntary temporary caregiver with whom a child is
placed under this section is not entitled to any reimbursement for
the care the caregiver provides for the child.

(h) A voluntary temporary caregiver is not liable for the
cost of any medical care the child receives while the child is
placed with the caregiver. The cost of any medical care shall be
covered by the existing health insurance provided for the child.

(i) A voluntary temporary caregiver shall ensure that the
child:

(1) continues to attend the school in which the child
was enrolled immediately before the child was removed from the
child's home; or

(2) attends another school chosen by the child's
caseworker if the child's caseworker determines that it is unsafe
for the child to continue to attend the school in which the child
was enrolled immediately before the child was removed from the
child's home.

(j) The department shall publicize the voluntary temporary
caregiver program and notify the parents of a child being removed
from the child's home whether the child will be placed with a
voluntary temporary caregiver.

(k) The executive commissioner of the Health and Human Services Commission or the commissioner of the Department of Family and Protective Services, as appropriate, shall adopt rules necessary to implement this section.

Sec. 262.1042. RELEASE OF CHILD BY LAW ENFORCEMENT OR JUVENILE PROBATION OFFICER TO VOLUNTARY TEMPORARY CAREGIVER. A law enforcement or juvenile probation officer who takes possession of a child under this chapter may release the child to a voluntary temporary caregiver approved under Section 262.1041.

SECTION 3. Section 264.1075, Family Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) As soon as possible after a child is placed in the managing conservatorship of the department [begins receiving foster care under this subchapter], the department shall assess whether the child has a developmental or intellectual disability.

(c) If the assessment required by Subsection (b) indicates that the child might have an intellectual disability, the department shall ensure that a referral for a determination of intellectual disability is made as soon as possible and that the determination is conducted by an authorized provider before the date of the child's 16th birthday, if practicable. If the child is placed in the managing conservatorship of the department after the child's 16th birthday, the determination of intellectual disability must be conducted as soon as possible after the assessment required by Subsection (b). In this subsection,
"authorized provider" has the meaning assigned by Section 593.004, Health and Safety Code.

SECTION 4. Subchapter B, Chapter 264, Family Code, is amended by adding Section 264.1076 to read as follows:

Sec. 264.1076. MEDICAL EXAMINATION REQUIRED. (a) This section applies only to a child who has been taken into the conservatorship of the department and remains in the conservatorship of the department for more than three business days other than a child admitted to an inpatient medical facility.

(b) The department shall ensure that each child described by Subsection (a) is examined by and receives an initial medical examination and a mental health screening from a physician or other health care provider authorized under state law to conduct medical examinations not later than the end of the third business day after the date the child enters the conservatorship of the department or not later than the seventh business day after the date the child enters the conservatorship of the department, if the child is located in a rural area, as that term is defined by Section 845.002, Insurance Code. A physician or other health care provider conducting the medical examination under this section may not administer a vaccination as part of the examination, except that a physician may administer a tetanus vaccination if the physician determines that an emergency circumstance requires the administration of the vaccination. The prohibition on the administration of a vaccine does not apply after the department has been named managing conservator of the child after a hearing under Section 262.106 or 262.201.
The department shall collaborate with the commission and relevant medical practitioners to develop guidelines for the medical examination conducted under this section, including guidelines on the components to be included in the examination.

Not later than December 31, 2019, the department shall submit a report to the standing committees of the house of representatives and the senate with primary jurisdiction over child protective services and foster care evaluating the statewide implementation of the medical examination required by this section. The report must include the level of compliance with the requirements of this section in each region of the state. This subsection expires September 1, 2021.

SECTION 5. Subchapter B, Chapter 264, Family Code, is amended by adding Section 264.1131 to read as follows:

Sec. 264.1131. FOSTER CARE PROVIDER RECRUITMENT PLAN. In addition to foster parent recruitment from nonprofit organizations and from organizations under Section 264.113, the department shall, subject to the availability of funds, collaborate with current foster and adoptive parents to develop and implement a foster care provider recruitment plan. The plan must:

(1) use data analysis, social media, partnerships with faith-based and volunteer organizations, and other strategies for recruitment, including targeted and child-focused recruitment;

(2) identify the number of available foster care providers for children with high needs in order to expand the use of therapeutic or treatment foster care for children in those placements;
require the provision of:

(A) quality customer service to prospective and current foster and adoptive parents; and

(B) assistance to prospective foster parents with the certification and placement process;

(4) include strategies for increasing the number of kinship providers;

(5) include strategies to ensure that children in foster care do not have to transfer schools after entering foster care, unless transferring is in the child's best interest; and

(6) include programs to support foster and adoptive families, including programs that provide training, respite care, and peer assistance.

SECTION 6. Subchapter B, Chapter 264, Family Code, is amended by adding Section 264.1211 to read as follows:

Sec. 264.1211. CAREER DEVELOPMENT AND EDUCATION PROGRAM. The department shall collaborate with foster care youth and local workforce development boards, foster care transition centers, community and technical colleges, schools, and any other appropriate workforce industry resource to create a program that:

(1) assists foster care youth and former foster care youth in obtaining:

(A) a high school diploma or a high school equivalency certificate; and

(B) industry certifications necessary for high demand occupations;

(2) provides career guidance to foster care youth and
former foster care youth; and

(3) informs foster care youth and former foster care youth about:
   (A) the tuition and fee waivers for institutions of higher education that are available under Section 54.366, Education Code; and
   (B) available programs that provide housing assistance, educational assistance, and any other service to assist foster care youth and former foster care youth with transitioning to independent living.

SECTION 7. Section 264.201, Family Code, is amended by adding Subsection (f) to read as follows:

(f) In providing services to a family under this section, the department shall ensure that the services provided:
   (1) are narrowly tailored to address the allegations of abuse or neglect the department is investigating; and
   (2) do not duplicate other services the family is receiving.

SECTION 8. Subchapter C, Chapter 264, Family Code, is amended by adding Section 264.2042 to read as follows:

Sec. 264.2042. GRANTS FOR FAITH-BASED COMMUNITY COLLABORATIVE PROGRAMS. (a) Using available funds or private donations, the governor shall establish and administer an innovation grant program to award grants to support faith-based community programs that collaborate with the department and the commission to improve foster care and the placement of children in foster care.
(b) A faith-based community program is eligible for a grant under this section if:

1. the effectiveness of the program is supported by empirical evidence; and
2. the program has demonstrated the ability to build connections between faith-based, secular, and government stakeholders.

(c) The regional director for the department in the region where a grant recipient program is located, or the regional director's designee, shall serve as the liaison between the department and the program for collaborative purposes. For a program that operates in a larger region, the department may designate a liaison in each county where the program is operating. The department or the commission may not direct or manage the operation of the program.

(d) The initial duration of a grant under this section is two years. The governor may renew a grant awarded to a program under this section if funds are available and the governor determines that the program is successful.

(e) The governor may not award to a program grants under this section totaling more than $300,000.

(f) The governor shall adopt rules to implement the grant program created under this section.

SECTION 9. Section 264.903, Family Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) The department shall expedite the evaluation of a potential caregiver under this section to ensure that the child is
placed with a caregiver who has the ability to protect the child from the alleged perpetrator of abuse or neglect against the child.

SECTION 10. Subchapter B, Chapter 402, Government Code, is amended by adding Section 402.040 to read as follows:

Sec. 402.040. CHILD PROTECTIVE SERVICES LIAISON. For each regional office of the Department of Family and Protective Services that provides child protective services, the attorney general shall appoint an employee to serve as a liaison to the department for that regional office. The department is not required to provide the liaison with an office in the department's regional office. The liaison shall:

(1) serve as a point of contact for the attorney general's office to increase communication between the regional office and the attorney general's office;

(2) provide assistance to the regional office in locating absent parents of children in the managing conservatorship of the department; and

(3) provide to the regional office information in the attorney general's child support database that will enable the regional office to locate absent parents of children in the managing conservatorship of the department.

SECTION 11. Sections 531.055(a), (b), and (e), Government Code, are amended to read as follows:

(a) The Health and Human Services Commission, the Department of Family and Protective Services, the Department of State Health Services, the Texas Education Agency [Each health and human services agency], the Texas Correctional Office on Offenders
with Medical or Mental Impairments, the Texas Department of Criminal Justice, the Texas Department of Housing and Community Affairs, the Texas Workforce Commission, and the Texas Juvenile Justice Department shall enter into a joint memorandum of understanding to promote a system of local-level interagency staffing groups to identify and coordinate services for persons needing multiagency services. The division within the Health and Human Services Commission that coordinates the policy and delivery of mental health services shall oversee the development and implementation of the joint memorandum of understanding.

(b) The memorandum must:

(1) clarify the statutory responsibilities of each agency in relation to persons needing multiagency services, including subcategories for different services such as:

(A) [prevention,] family preservation and strengthening;

(B) physical and behavioral health care;

(C) prevention and early intervention services, including services designed to prevent:

   (i) child abuse;

   (ii) neglect; or

   (iii) delinquency, truancy, or school dropout;

(D) diversion from juvenile or criminal justice involvement;

(E) housing;

(F) aging in place;
include a functional definition of "persons needing multiagency services";
(3) outline membership, officers, and necessary standing committees of local-level interagency staffing groups;
(4) define procedures aimed at eliminating duplication of services relating to assessment and diagnosis, treatment, residential placement and care, and case management of persons needing multiagency services;
(5) define procedures for addressing disputes between the agencies that relate to the agencies' areas of service responsibilities;
(6) provide that each local-level interagency staffing group includes:
   (A) a local representative of each agency;
   (B) representatives of local private sector agencies; and
   (C) family members or caregivers of persons needing multiagency services or other current or previous consumers of multiagency services acting as general consumer advocates;
(7) provide that the local representative of each
agency has authority to contribute agency resources to solving problems identified by the local-level interagency staffing group;

(8) provide that if a person's needs exceed the resources of an agency, the agency may, with the consent of the person's legal guardian, if applicable, submit a referral on behalf of the person to the local-level interagency staffing group for consideration;

(9) provide that a local-level interagency staffing group may be called together by a representative of any member agency;

(10) provide that an agency representative may be excused from attending a meeting if the staffing group determines that the age or needs of the person to be considered are clearly not within the agency's service responsibilities, provided that each agency representative is encouraged to attend all meetings to contribute to the collective ability of the staffing group to solve a person's need for multiagency services;

(11) define the relationship between state-level interagency staffing groups and local-level interagency staffing groups in a manner that defines, supports, and maintains local autonomy;

(12) provide that records that are used or developed by a local-level interagency staffing group or its members that relate to a particular person are confidential and may not be released to any other person or agency except as provided by this section or by other law; and

(13) provide a procedure that permits the agencies to
share confidential information while preserving the confidential nature of the information.

(e) The agencies shall ensure that a state-level interagency staffing group provides:

(1) information and guidance to local-level interagency staffing groups regarding:

(A) the availability of programs and resources in the community; and

(B) best practices for addressing the needs of persons with complex needs; and

(2) a biennial report to the administrative head of each agency, the legislature, and the governor that includes:

(A) [411] the number of persons served through the local-level interagency staffing groups and the outcomes of the services provided;

(B) [421] a description of any barriers identified to the state’s ability to provide effective services to persons needing multiagency services; and

(C) [431] any other information relevant to improving the delivery of services to persons needing multiagency services.

SECTION 12. Section 552.117(a), Government Code, is amended to read as follows:

(a) Information is excepted from the requirements of Section 552.021 if it is information that relates to the home address, home telephone number, emergency contact information, or social security number of the following person or that reveals...
whether the person has family members:

(1) a current or former official or employee of a governmental body, except as otherwise provided by Section 552.024;

(2) a peace officer as defined by Article 2.12, Code of Criminal Procedure, or a security officer commissioned under Section 51.212, Education Code, regardless of whether the officer complies with Section 552.024 or 552.1175, as applicable;

(3) a current or former employee of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department, regardless of whether the current or former employee complies with Section 552.1175;

(4) a peace officer as defined by Article 2.12, Code of Criminal Procedure, or other law, a reserve law enforcement officer, a commissioned deputy game warden, or a corrections officer in a municipal, county, or state penal institution in this state who was killed in the line of duty, regardless of whether the deceased complied with Section 552.024 or 552.1175;

(5) a commissioned security officer as defined by Section 1702.002, Occupations Code, regardless of whether the officer complies with Section 552.024 or 552.1175, as applicable;

(6) an officer or employee of a community supervision and corrections department established under Chapter 76 who performs a duty described by Section 76.004(b), regardless of whether the officer or employee complies with Section 552.024 or 552.1175;

(7) a current or former employee of the office of the
attorney general who is or was assigned to a division of that office
the duties of which involve law enforcement, regardless of whether
the current or former employee complies with Section 552.024 or
552.1175;

(8) a current or former employee of the Texas Juvenile
Justice Department or of the predecessors in function of the
department, regardless of whether the current or former employee
complies with Section 552.024 or 552.1175;

(9) a current or former juvenile probation or
supervision officer certified by the Texas Juvenile Justice
Department, or the predecessors in function of the department,
under Title 12, Human Resources Code, regardless of whether the
current or former officer complies with Section 552.024 or
552.1175;

(10) a current or former employee of a juvenile
justice program or facility, as those terms are defined by Section
261.405, Family Code, regardless of whether the current or former
employee complies with Section 552.024 or 552.1175; [ex]

(11) a current or former member of the Texas military
forces, as that term is defined by Section 437.001; or

(12) a current or former employee of the Department of
Family and Protective Services, regardless of whether the employee
complies with Section 552.024 or 552.1175, or a current or former
employee of a department contractor performing services for the
contractor on behalf of the department.

SECTION 13. The heading to Section 552.1175, Government
Code, is amended to read as follows:
Sec. 552.1175. EXCEPTION: CONFIDENTIALITY OF CERTAIN PERSONAL IDENTIFYING INFORMATION OF PEACE OFFICERS AND OTHER OFFICIALS PERFORMING SENSITIVE GOVERNMENTAL FUNCTIONS [COUNTY JAILERS, SECURITY OFFICERS, EMPLOYEES OF CERTAIN CRIMINAL OR JUVENILE JUSTICE AGENCIES OR OFFICES, AND FEDERAL AND STATE JUDGES].

SECTION 14. Section 552.1175(a), Government Code, is amended to read as follows:

(a) This section applies only to:

(1) peace officers as defined by Article 2.12, Code of Criminal Procedure;

(2) county jailers as defined by Section 1701.001, Occupations Code;

(3) current or former employees of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department;

(4) commissioned security officers as defined by Section 1702.002, Occupations Code;

(5) employees of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(6) officers and employees of a community supervision and corrections department established under Chapter 76 who perform a duty described by Section 76.004(b);

(7) criminal investigators of the United States as described by Article 2.122(a), Code of Criminal Procedure;
(8) police officers and inspectors of the United States Federal Protective Service;

(9) current and former employees of the office of the attorney general who are or were assigned to a division of that office the duties of which involve law enforcement;

(10) current or former juvenile probation and detention officers certified by the Texas Juvenile Justice Department, or the predecessors in function of the department, under Title 12, Human Resources Code;

(11) current or former employees of a juvenile justice program or facility, as those terms are defined by Section 261.405, Family Code;

(12) current or former employees of the Texas Juvenile Justice Department or the predecessors in function of the department; [and]

(13) federal judges and state judges as defined by Section 13.0021, Election Code; and

(14) a current or former employee of the Department of Family and Protective Services or a current or former employee of a department contractor performing services for the contractor on behalf of the department.

SECTION 15. Subchapter B, Chapter 40, Human Resources Code, is amended by adding Sections 40.0327, 40.0328, and 40.036 to read as follows:

Sec. 40.0327. NONPROFIT AGENCY SERVICES COORDINATOR. The department shall designate an office as the nonprofit agency services coordinator to serve as a liaison between the department and nonprofit agencies.
and nonprofit agencies that provide adoption services and assistance to families in crisis and children in care.

Sec. 40.0328. CASEWORKER CASELOAD MANAGEMENT SYSTEM. (a) The department shall manage the duties of caseworkers to maintain the safety of children in child protective services by establishing a caseload management system that:

(1) assesses the current and potential risk of harm from abuse or neglect to each child in the department's care;

(2) determines the appropriate number of cases to be assigned to a caseworker based on the risk assessment described by Subdivision (1) for the children assigned to the caseworker; and

(3) limits the number of children with a higher risk assessment that may be assigned to any one caseworker.

(b) The department shall:

(1) make risk assessment guidelines available to the public and accessible on the department's Internet website; and

(2) disclose the results of the assessment for a child to the court and each party to the case before the date the full adversary hearing is held under Section 262.201, Family Code.

(c) Information relating to the assessment performed under this section is inadmissible as evidence in a court.

Sec. 40.036. TRAUMA-BASED CARE TRAINING REQUIREMENT FOR CASEWORKERS. The department shall ensure that each child protective services caseworker who interacts with children on a daily basis receives evidence-based training in trauma-based care.

SECTION 16. Subchapter C, Chapter 40, Human Resources Code, is amended by adding Section 40.0523 to read as follows:
Sec. 40.0523. RESOURCES FOR CHILD PROTECTIVE SERVICES CASES. The department shall collaborate with the Office of Court Administration of the Texas Judicial System, the Supreme Court of Texas Children's Commission, and any other appropriate interested parties to compile and publish on the department's Internet website resources, including links to other websites, for judges, attorneys, and other persons involved in the child welfare system to support consistent practices statewide.

SECTION 17. Subchapter C, Chapter 42, Human Resources Code, is amended by adding Section 42.0533 to read as follows:

Sec. 42.0533. EMERGENCY PLACEMENT. The department, in consultation with affected providers and other interested parties, shall evaluate the need for and develop any necessary protocols and any associated best practice standards for the temporary placement of a child for not more than 30 days in a foster home, foster group home, agency foster home, agency foster group home, or cottage home to allow the child to remain in the child's community while the department secures a safe and suitable long-term placement for the child.

SECTION 18. Section 25.025(a), Tax Code, is amended to read as follows:

(a) This section applies only to:

(1) a current or former peace officer as defined by Article 2.12, Code of Criminal Procedure;

(2) a county jailer as defined by Section 1701.001, Occupations Code;

(3) an employee of the Texas Department of Criminal
Justice;

(4) a commissioned security officer as defined by Section 1702.002, Occupations Code;

(5) a victim of family violence as defined by Section 71.004, Family Code, if as a result of the act of family violence against the victim, the actor is convicted of a felony or a Class A misdemeanor;

(6) a federal judge, a state judge, or the spouse of a federal judge or state judge;

(7) a current or former employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(8) an officer or employee of a community supervision and corrections department established under Chapter 76, Government Code, who performs a duty described by Section 76.004(b) of that code;

(9) a criminal investigator of the United States as described by Article 2.122(a), Code of Criminal Procedure;

(10) a police officer or inspector of the United States Federal Protective Service;

(11) a current or former United States attorney or assistant United States attorney and the spouse and child of the attorney;

(12) a current or former employee of the office of the attorney general who is or was assigned to a division of that office the duties of which involve law enforcement;
H.B. No. 39

(13) a medical examiner or person who performs forensic analysis or testing who is employed by this state or one or more political subdivisions of this state;

(14) a current or former member of the United States armed forces who has served in an area that the president of the United States by executive order designates for purposes of 26 U.S.C. Section 112 as an area in which armed forces of the United States are or have engaged in combat;

(15) a current or former employee of the Texas Juvenile Justice Department or of the predecessors in function of the department;

(16) a current or former juvenile probation or supervision officer certified by the Texas Juvenile Justice Department, or the predecessors in function of the department, under Title 12, Human Resources Code; [and]

(17) a current or former employee of a juvenile justice program or facility, as those terms are defined by Section 261.405, Family Code; and

(18) a current or former employee of the Department of Family and Protective Services or a current or former employee of a department contractor performing services for the contractor on behalf of the department.

SECTION 19. Not later than December 1, 2017, the executive commissioner of the Health and Human Services Commission shall adopt the rules necessary to implement Section 261.3017, Family Code, as added by this Act.

SECTION 20. As soon as practicable after the effective date
of this Act:

(1) the executive commissioner of the Health and Human Services Commission shall adopt rules necessary to implement Sections 262.1041 and 262.1042, Family Code, as added by this Act; and

(2) the Department of Family and Protective Services shall implement the voluntary temporary caregiver program as required by Sections 262.1041 and 262.1042, Family Code, as added by this Act.

SECTION 21. The Department of Family and Protective Services may not implement the voluntary temporary caregiver program created under Section 262.1041, Family Code, as added by this Act, until the rules necessary to implement the program have been adopted.

SECTION 22. As soon as practicable after the effective date of this Act, the governor shall adopt rules for the implementation and administration of the innovation grant program established under Section 264.2042, Family Code, as added by this Act, and begin to award grants under the program.

SECTION 23. (a) The changes in law made by this Act apply to a suit affecting the parent-child relationship filed on or after the effective date of this Act. A suit affecting the parent-child relationship filed before the effective date of this Act is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.

(b) Section 264.1076, Family Code, as added by this Act, applies only to a child who enters the conservatorship of the
Department of Family and Protective Services on or after the effective date of this Act. A child who enters the conservatorship of the Department of Family and Protective Services before the effective date of this Act is governed by the law in effect on the date the child entered the conservatorship of the department, and the former law is continued in effect for that purpose.

(c) The Department of Family and Protective Services shall implement Section 264.1076, Family Code, as added by this Act, not later than December 31, 2018.

(d) As soon as practicable after the effective date of this Act, but not later than December 1, 2017, the Health and Human Services Commission, the Department of Family and Protective Services, the Department of State Health Services, the Texas Education Agency, the Texas Correctional Office on Offenders with Medical or Mental Impairments, the Texas Department of Criminal Justice, the Texas Department of Housing and Community Affairs, the Texas Workforce Commission, and the Texas Juvenile Justice Department shall update the joint memorandum of understanding required under Section 531.055, Government Code, as amended by this Act.

(e) The changes in law made by this Act to Sections 552.117 and 552.1175, Government Code, and Section 25.025, Tax Code, apply only to a request for information that is received by a governmental body or an officer on or after the effective date of this Act. A request for information that was received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that
(f) As soon as practicable after the effective date of this Act, the Department of Family and Protective Services shall establish and implement the caseload management system as required under Section 40.0328, Human Resources Code, as added by this Act.

SECTION 24. This Act takes effect September 1, 2017.