

2022 Senate Interim Charge Recommendations for Texas Children

Texans Care for Children is dedicated to ensuring the health and well-being of Texas children so they are safe, successful, and on a path to fulfill their promise. The interim provides lawmakers an opportunity to focus on complex issues that impact Texas children, communities, and our state budget. The following interim charge recommendations highlight strategies Texas leaders can take to improve the health, development, and well-being of children and achieve savings to the state.

For additional information, please contact Adriana Kohler, Policy Director, at akohler@txchildren.org; Kate Murphy, Senior Child Welfare Policy Associate, at kmurphy@txchildren.org; Josette Saxton, Director of Mental Health Policy, at jsaxton@txchildren.org; David Feigen, Early Childhood Policy Associate, at dfeigen@txchildren.org; or the Texans Care for Children office at 512-473-2274 or through our website, txchildren.org.

Senate Health and Human Services Committee

Child and Maternal Health

- Monitor the implementation of legislation passed in 2019 and 2021 to improve the health of mothers and children, including SB 748 (86R), SB 750 (86R), HB 133 (87R), and HB 2658 (87R). In conducting this oversight:
 - Study ways to improve outreach to families with children who are eligible for Medicaid or CHIP but unenrolled, including children in rural areas and counties;
 - Evaluate the state's plans for resuming routine Medicaid renewals and disenrollments when the COVID-19 Public Health Emergency ends, including ways to reduce the added burden on the state's eligibility workforce and ensure that kids who are still eligible for Medicaid are not mistakenly kicked off.
 - Assess recent and upcoming policy changes to Medicaid for children and postpartum mothers, including implementation of the Healthy Texas Women Section 1115 Demonstration Waiver and state efforts to reduce the impacts of HTW eligibility and application changes put in place as a result of the HTW 1115 waiver.

**Recommended as a joint charge for Senate Health and Human Services and Senate Finance Committees*

- Evaluate health coverage solutions for uninsured Texans as a means to promote greater prosperity among families and bolster Texas' ongoing efforts to improve health for children and improve access to primary, mental, and specialty care for Texans.

Children's Mental Health

- Review the capacity in the state to serve children and adolescents with intensive mental health needs, including the availability of inpatient, partial-hospitalization, residential treatment, and intensive community-based wraparound services.
 - Make recommendations to increase access to intensive community-based services that help divert youth from more restrictive treatment settings, such as hospitalization, residential treatment, or justice settings: including mobile crisis outreach teams; the Youth Empowerment Waiver (YES) program; family partner peer support services; and youth peer support services. Recommendations should include services for youth at risk of entering foster care because their untreated mental health conditions may lead to Refusal to Accept Parental Responsibility or voluntary relinquishment of parental rights.
 - Monitor implementation of SB 1177 (86R) that authorizes evidence-based services to be provided in lieu of mental health or substance use disorder services specified in the Medicaid State Plan.

**Recommended as a joint charge for Senate Health and Human Services and Senate Finance Committees*

Foster Care and Child Abuse Prevention

- Examine policy changes and funding required to effectively implement the Family First Prevention Services Act (FFPSA) by keeping more families safely together and improving the quality of foster homes and facilities. Examine opportunities to prevent children from entering foster care as well as reduce the use and elevate the quality of congregate care placements. Assess steps taken during the 2021 legislative session to comply with FFPSA, including:
 - DFPS efforts to prevent children from entering foster care through FFPSA-funded prevention services, including, but not limited to any services developed through Rider 48, the pilots outlined in HB 3041, the study outlined in SB 910, and the transfer of services directed through SB 1896;
 - Any gaps in prevention services created by the new foster care candidacy definition and elimination of the Helping through Intervention Program (HIP) for certain populations;
 - Sources of general revenue that could be invested in FFPSA eligible prevention services to draw down the federal match;
 - Implementation of SB 1575, which boosts judicial oversight to ensure that kids with significant behavior challenges staying in foster care facilities designated as "Qualified

Residential Treatment Programs” (QRTPs) will be transferred to homes with families as soon as possible; and

- Implementation of the DFPS QRTP pilot funded through Rider 48, created to develop more QRTPs to serve children in foster care with the most significant behavioral health challenges.

**Recommended as a joint charge with the Senate Health and Human Services and Finance Committees*

➤ Evaluate further action needed to improve the safety and quality of the foster care system, including preventing children in foster care from being without a placement and increasing recruitment of foster families. This assessment should include:

- Monitoring the implementation of SB 1896 (87R) and Rider 29, which seek to increase the number of foster care homes prepared to serve unique populations in foster care, including pregnant and parenting youth, trafficking survivors, young adults, and others;
- Monitoring the impact of DFPS expanding Treatment Foster Care to include children over age 10 codified in SB 1896 (87R);
- Examining the use of out-of-state and temporary emergency placements for Children Without Placement;
- Assessing the quality of sub-acute placements DFPS is developing;
- Evaluating DFPS progress on improvements recommended by monitors or other experts in *M.D. v. Abbott* to determine legislative action needed to support children in foster care; and
- Assessing administrative changes at DFPS to address racial and economic disproportionality and disparities in the CPS system and evaluate feasible policy levers that would prevent unnecessary reports to CPS.

**Recommended as a joint charge with the Senate Health and Human Services and Finance Committees*

➤ Monitor interpretation and implementation of HB 567 (87R) to assess whether any of the bill’s changes are leaving children in unsafe situations, especially the changes to the definition of neglect, family preservation cases, court-ordered services cases, and eliminating nonemergency removals.

Senate Education

➤ Report on the progress and outcomes of evidence-based strategies to address instructional loss and mental health challenges for each targeted underserved student group, including: students from low-income families, students from each racial or ethnic group, by gender, emergent bilinguals (i.e. English learners), children with disabilities, students experiencing homelessness, children and youth in foster care, migratory students, and other groups disproportionately impacted by the pandemic identified by the Texas Education Agency. **Recommended as a joint charge for Senate Education and*

Finance Committees

- Assess how the COVID-19 pandemic has affected:
 - The mental health of students and educators and how those effects have impacted academic performance and learning loss. Examine student populations most impacted by the pandemic. Examine how legislation passed in 2019 and 2021 related to student mental health, trauma, and school climate can be used to improve academic performance and address learning loss among students impacted by the pandemic, including:
 - SB 179 (87R) which relates to the use of school counselors' time;
 - SB 2050 (87R) which relates to bullying policies and focuses on school climate and health and wellness initiatives;
 - Provisions in SB 11 (86R) related to trauma-informed policies and safe and supportive school programs that address school climate and mental health; and
 - HB 18 (86R), which relates to school district plans, policies, and procedures related to student mental health and school climate.
 - Bilingual education and learning outcomes for emergent bilingual (English Learner) students, including those in prekindergarten to 3rd grade.
- Evaluate ongoing strategies to continuously improve educational opportunities for emergent bilingual (English Learner) students and explore opportunities to further expand dual language immersion programming and monitor the implementation of the state strategic plan authorized by SB 560 (87R).
- Monitor and analyze the implementation of high-quality, full-day pre-k funding in HB 3 (86R), including:
 - Impact on child care providers, including potential expansion of partnerships between child care providers and school districts;
 - The Texas Education Agency's allocation of waivers of the full-day pre-k requirement;
 - How districts are allocating funding through the Early Education Allotment;
 - How districts are meeting the required high-quality pre-k components, including the recommendation to maintain an 11:1 student-teacher ratio;
 - How districts are allocating the dual language allotment;
 - How districts are implementing new K-3 reading standards and literacy plans; and
 - How districts are expanding pre-k enrollment of eligible three-year-olds.

Senate Finance

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