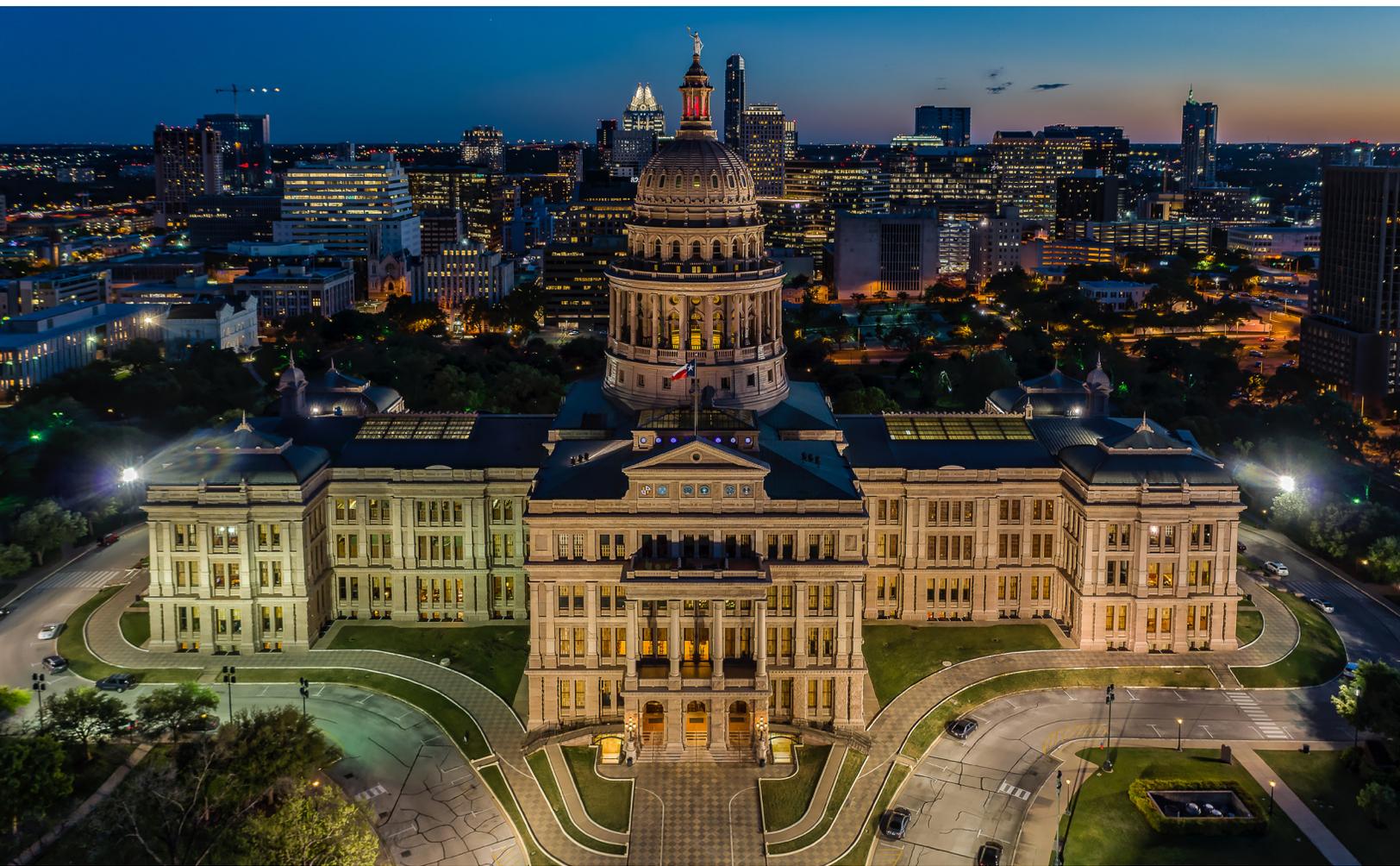


# Did the Legislature Pass that Bill?

## A Preliminary Recap of Key Children's Bills from the 2021 Texas Legislative Session



This recap provides a preliminary list of the significant children's bills that passed and those that did not during the 2021 Texas legislative session. We will publish an updated and more thorough legislative recap following the June 20th deadline for the Governor to veto bills. This preliminary recap covers the following four issue areas:

**Children's Mental Health**

**Child Protection**

**Early Education**

**Maternal & Child Health**

# CHILDREN'S MENTAL HEALTH

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Status as of May 31, 2021. The Governor may veto bills until June 20, 2021.

## PASSED

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### Support Children in School

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#### **HB 159 by Rep. M. González**

Similar to SB 180 by Sen. Lucio

This bill improves training and staff development for educators to enable them to more effectively serve all students, including requirements related to mental health, substance abuse, youth suicide, multi-tiered systems of support, and positive behavior intervention strategies.

#### **HB 332 by Rep. Talarico**

Similar to SB 2004 by Sen. Lucio;  
Passed as a provision of HB 1525  
by Rep. Huberty

This bill allows school districts to use compensatory education funds to help students develop social and emotional skills.

#### **SB 123 by Sen. Johnson**

This bill integrates social emotional learning skills into state curriculum standards and character education programs.

#### **SB 168 by Sen. Blanco**

Similar to HB 1016 by Rep. Perez

This bill requires school districts to take steps to support the social emotional wellness and mental health of students when conducting active shooter drills on school campuses.

#### **SB 179 by Sen. Lucio**

Similar to HB 589 by Rep. Gonzalez

This bill supports school counselors being able to focus their time on core counseling duties.

#### **SB 279 by Sen. Hinojosa**

Similar to HB 1745 by Rep. Hernandez  
and HB 1014 by Rep. Bucy

This bill adds suicide prevention information to student identification cards in grades 6-12 and higher education.

#### **SB 2050 by Sen. Menéndez**

This bill emphasizes positive school climates, healthy relationships, and student health and wellness initiatives as part of school district bullying prevention efforts.

### Support Children in their Community

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#### **HB 3121 by Rep. J. Turner**

Similar to SB 1218 by Sen. Johnson

This bill creates a voluntary certification process for psychiatric residential care facilities serving youth to encourage heightened quality of care standards.

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## Support Children in their Community (continued)

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### **HB 4041 by Rep. Neave**

Passed as a provision of SB 1896  
by Sen. Kolkhorst

This bill requires residential child care facilities and child-placing agencies serving children and youth in foster care to have evidence-based suicide prevention, intervention, and postvention policies in place.

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### **HB 4074 by Rep. Hunter**

Similar to SB 2068 by Sen. Menéndez

This bill requires the Statewide Behavioral Health Coordinating Council to prioritize data-informed suicide prevention efforts in its strategic planning and interagency coordinating efforts.

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### **SB 642 by Sen. West**

This bill enables a child to access residential treatment services through HHSC's relinquishment avoidance program without having DFPS first conduct a child abuse or neglect investigation.

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## DID NOT PASS

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## Support Children in School

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### **HB 62 by Rep. Talarico**

Similar to HB 1201 by Rep. Wu

This bill would have supported the use of preventative and restorative discipline practices that teach students skills needed to manage conflict and build relationships while keeping all students safe and connected within their school community.

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### **HB 1144 by Rep. Ramos**

This bill would have required districts to provide educators with training in suicide prevention at least once every two years.

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### **HB 2975 by Rep. Hull**

This bill would have prohibited law enforcement or school security from using handcuffs or chemical irritant spray on a student 10 years of age or younger while on school grounds.

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### **SB 406 by Sen. Menéndez**

Similar to HB 4249 by Rep. Talarico

This bill would have required school boards and superintendents to receive training in trauma-informed schoolwide practices.

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### **SB 980 by Sen. Powell**

Similar to HB 2954 by Rep. S. Thompson

This bill would have assisted districts in addressing suicide prevention in elementary school campuses.

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### **SB 2063 by Sen. Menéndez**

This bill would have promoted district practices to address substance use among students in ways that keep all students safe and help those who need targeted support.

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## Support Children in their Community

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**HB 240 by Rep. S. Thompson**

Similar to SB 51 by Sen. Zaffirini

This bill would have required private health plans to cover treatment of serious emotional disorders among children.

**HB 1432 by Rep. Romero**

Similar to SB 662 by Sen. Powell

This bill would have increased access to peer support services for youth who are over age 13.

**HB 4265 by Rep. Rose**

Similar to SB 2104 by Sen. Zaffirini

This bill would have increased access to peer support services for youth and the families that care for them.

**SB 2068 by Sen. Menéndez**

This bill would have improved suicide-related data collection and information sharing to assist in statewide suicide prevention efforts.

**SB 2070 by Sen. Menéndez**

This bill would have required state agencies serving on the Statewide Behavioral Health Coordination Council, including child-serving agencies, to adopt model suicide prevention, intervention, and postvention policies.

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# CHILD PROTECTION

Status as of May 31, 2021. The Governor may veto bills until June 20, 2021.

## PASSED

### Support Children

#### HB 80 by Rep. Jarvis Johnson

This bill replaces fines and fees for youth in foster care who commit class C misdemeanors with community services.

#### HB 567 by Rep. Frank

Similar to SB 190 by Sen. Hughes

This bill establishes important procedural guardrails for CPS and court-ordered services cases to create urgency around reunifying children with their parents.

#### HB 607 by Rep. Howard

Similar to SB 2607 by Sen. Menéndez;  
Passed as a provision of SB 1896

This bill supports children in foster care, including pregnant and parenting youth, by conducting a foster care needs assessment.

#### HB 700 by Rep. Jarvis Johnson

Includes provisions similar to SB 1084  
by Sen. Powell

This bill requires CPS to ensure youth receive college credit for participating in PAL classes.

#### HB 1315 by Rep. Jarvis Johnson

This bill requires the appointment of a CASA, guardian ad litem, or attorney ad litem after a parent's rights are terminated in a CPS case and the child enters permanent foster care.

#### HB 2926 by Rep. Parker

This bill allows for the reinstatement of parental rights following termination of parental rights.

#### HB 3041 by Rep. Frank

Similar to SB 1576 by Sen. Kolkhorst

This bill creates two pilot programs in which courts would decide whether to connect families with prevention services while a child stays with their biological parents instead of removing the child and placing that child in foster care.

#### HB 4041 by Rep. Neave

Passed as a provision of SB 1896  
by Sen. Kolkhorst

This bill aims to prevent suicide in foster care.

#### SB 263 by Sen. Menéndez

Similar to HB 116 by Rep. Minjarez

This bill provides financial support for grandparents and other kinship caregivers who are informally caring for a child at risk of entering foster care.

#### SB 642 by Sen. West

This bill improves mental health services for children at risk of relinquishment.

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## Support Children (continued)

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**SB 863 by Sen. Blanco**

Similar to HB 2985 by Rep. Hull

This bill authorizes the temporary relocation of children in foster care facilities during a declared state of disaster.

**SB 910 by Sen. Schwertner**

This bill helps DFPS plan for incorporating prevention services funding through the Family First Prevention Services Act into Community Based Care.

**SB 1059 by Sen. Paxton**

Similar to HB 2963 by Rep. Klick

This bill ensures continuous health care coverage for young adults aging out of foster care.

**SB 1079 by Sen. Campbell**

Passed as a provision of the state budget

This bill strengthens accountability and transparency long-term by codifying recent improvements to the CPS monthly reporting system.

**SB 1084 by Sen. Powell**

Similar to HB 2632 by Rep. Minjarez;  
Passed as a provision of HB 700  
by Rep. Jarvis Johnson

This bill requires CPS to begin transition planning earlier, removes barriers to extended care, and ensures older youth have more skills and resources to become independent.

**SB 1575 by Sen. Kolkhorst**

Similar to HB 4476 by Rep. Oliverson

This bill ensures that children in foster care only remain in "QRTP" facilities when necessary and that a plan is developed to move each child into a family-based setting when appropriate.

**SB 1896 by Sen. Kolkhorst**

Includes provisions similar to HB 607  
by Rep. Howard and SB 2067  
by Sen. Menéndez

This omnibus CPS bill makes numerous changes, including implementing recommendations to identify and address gaps in foster care for serving pregnant and parenting youth.

**SB 2049 by Sen. Menéndez**

Similar to HB 3895 by Rep. Wu

This bill clarifies the role of guardians ad litem for children who are in the juvenile justice system and the CPS system.

**SB 2054 by Sen. Menéndez**

Similar to HB 2286 by Rep. White

This bill helps youth in foster care access drivers education and safety courses so they can get their driver's licenses.

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## Impact Children

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**HB 2536 by Rep. Krause**

Similar to SB 2015 by Sen. Buckingham

This bill changes the definition of neglect and grounds for termination of the parent-child relationship by excluding seeking more than one medical opinion on a child's health conditions.

**HB 3379 by Rep. Leman**

This bill changes the standard for reporting child abuse and neglect from "cause for concern" to "reasonable cause for concern."

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## Impact Children (continued)

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### **HB 3820 by Rep. Klick**

Passed as a provision of SB 1578 by Sen. Kolkhorst

This bill changes processes related to Child Abuse Pediatricians involved in CPS cases.

### **SB 1578 by Sen. Kolkhorst**

This bill requires the children's commission to study the use of opinions from medical professionals in making determinations related to the abuse or neglect of a child.

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## DID NOT PASS

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### Support Children

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### **HB 542 by Rep. White**

This bill would have established guidelines for placing a child in a foster care facility where a preventable death has occurred and prevented a facility that has caused a child's death from reopening if HHSC terminated a contract with that facility for that reason.

### **HB 1237 by Rep. White**

Similar to HB 155 by Rep. Rose and SB 75 by Sen. Miles

This bill would have required DFPS to address disproportionality and disparities in the CPS system.

### **HB 1790 by Rep. Darby**

This bill would have kept relatives involved in CPS cases and increased opportunities to keep children in foster care connected to their biological families.

### **HB 2333 by Rep. Howard**

Similar to SB 1520 by Sen. Seliger

This bill would have scaled up evidence-based voluntary nurse home visits for caregivers with newborns, such as visits conducted through Family Connects.

### **HB 2308 by Rep. Gates**

This bill would have increased the use of parental child safety placements, allowed orders that would remove an alleged perpetrator from the home, and strengthened accountability for reasonable efforts to keep a child in their home as opposed to removal.

### **HB 2490 by Rep. Howard**

Similar to SB 1200 by Sen. Powell

This bill would have allowed minors to consent for home visiting services designed to serve pregnant women.

### **HB 2650 by Rep. Jarvis Johnson**

This bill would have prevented unnecessary law enforcement reports to CPS when parents are arrested for a reason unrelated to child maltreatment.

### **HB 2821 by Rep. White**

Similar to SB 2085 by Sen. Menéndez

This bill would have instructed juvenile boards to develop policies that divert youth in foster care facilities from the juvenile justice system.

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## Support Children (continued)

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### HB 3493 by Rep. Parker

This bill would have strengthened Prevention and Early Intervention services at DFPS by incorporating services to prevent or address adverse childhood experiences into the array of services provided in communities across Texas.

### HB 3815 by Rep. Hunter

This bill would have expanded eligibility for extended foster care and education and training vouchers consistent with the Family First Prevention Services Act.

### HB 4055 by Rep. Meza

This bill would have clarified that pregnant women with substance use disorders who are seeking treatment should not be reported to CPS.

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## Impact Children

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### HB 2055 by Rep. Klick

Similar to HB 1190 by Rep. Krause, SB 1603 by Sen. Kolkhorst, and SB 1672 by Sen. Hall.

This bill would have changed the procedures related to adding a person to the central registry of child abuse and neglect.

### HB 2298 by Rep. Cason

Similar to HB 2737 by Rep. Minjarez

This bill would have delineated the rights of parents in CPS cases and added required procedures to ensure CPS gives parents notice of those rights.

### HB 3691 by Rep. Frank

This bill would have remodeled statewide implementation of Community-Based Care.

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## Raise Concerns

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### HB 1098 by Rep. Gates

This bill would have prohibited anonymous reports to DFPS regarding suspected child abuse or neglect.

### HB 2550 by Rep. Dutton

This bill would have limited the services that CPS may contract for and provide to families.

### HB 2551 by Rep. Dutton

This bill would have limited kinship caregiver options and disrupted foster care placements by requiring parental consent for kinship placement and allowing parents to revoke their consent at any time.

### HB 2983 by Rep. Hull

This bill would have eliminated the initial medical examination currently required for certain children entering foster care.

### SB 1646 by Sen. Perry

Similar to HB 68 by Rep. Toth and HB 4014 by Rep. Hefner

This bill would have led to CPS potentially removing transgender children from their homes if the children receive medically recommended gender-affirming care.

# EARLY EDUCATION

Status as of May 31, 2021. The Governor may veto bills until June 20, 2021.

## PASSED

### Support Children in School

<b>HB 5 by Rep. Ashby</b>	This bill expands access to broadband internet access in the state.
<b>HB 725 by Rep. Patterson</b>	This bill makes Texas children eligible for public school pre-k if they were in foster care in other states.
<b>HB 2256 by Rep. Guerra</b> Similar to SB 1101 by Sen. Creighton	This bill creates a certification in Bilingual Special Education to build a pipeline of school leaders who are equipped to serve the specific needs of English Learner children with disabilities and developmental delays.
<b>SB 560 by Sen. Lucio</b> Similar to HB 2258 by Rep. Guerra	This bill creates a state strategic plan to cultivate bilingualism across all early learning systems and set clear benchmarks to increase the number of bilingually certified teachers, the number of students who are bilingual or multilingual, and the availability of high-quality dual language immersion classes in pre-k through 12th grade.
<b>SB 2066 by Sen. Menéndez</b>	This bill replaces the terms Limited English Proficient and English Learner in the Education Code with the term Emergent Bilingual to identify students by their positive bilingual potential, rather than from a deficit perspective.
<b>SB 2081 by Sen. Menéndez</b> Similar to HB 41 by Rep. Talarico	This bill establishes a 22 student class size limit for public school pre-k programs, in line with kindergarten through 4th grade.

### Support Children in Child Care

<b>HB 619 by Rep. S. Thompson</b>	This bill directs state officials to develop a strategic plan to support the child care workforce.
<b>HB 1792 by Rep. Button</b> Similar to SB 694 by Sen. Zaffirini	This bill standardizes Texas Rising Star assessments.
<b>HB 2607 by Rep. Talarico</b> Similar to SB 2087 by Sen. Lucio	This bill improves child care quality by requiring providers that participate in the Texas Workforce Commission subsidy program to also take part in Texas Rising Star through a phased approach.

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## Support Children in Child Care (continued)

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### SB 225 by Sen. Paxton

This bill expands the child care searchable database and improves transparency around child care licensing deficiencies.

### SB 764 by Sen. Huffman

This bill prohibits a person from operating a child care facility or family home during an appeal of a suspension or denial of an applicable license, certification, registration, or listing.

### SB 1061 by Sen. Zaffirini

Similar to SB 1153 by Sen. Kolkhorst

This bill requires child care facilities and employees to submit a complete set of fingerprints to the Health and Human Services Commission for the purpose of conducting a robust criminal history check.

### SB 1555 by Sen. Zaffirini

Similar to HB 1695 by Rep. Raney

This bill sets equitable reimbursement rates for child care providers serving infants and toddlers.

## Impact Children

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### SB 1697 by Sen. Paxton

Similar to HB 3557 by Rep. King

This bill permits a parent or guardian to elect for a student to repeat a grade or a course from the 2021-2022 school year.

# DID NOT PASS

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## Support Children in School

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### HB 1744 by Rep. Guerra

This bill would have created a Career and Technical Education program for bilingual education, ESL, and Spanish.

### HB 4105 by Rep. Talarico

This bill would have expanded public pre-k eligibility to include the children of essential workers.

### SB 37 by Sen. Zaffirini

Similar to HB 1621 by Rep. Guillen and HB 2231 by Rep. Bucy

This bill would have expanded pre-k eligibility to include all four-year-olds.

### SB 2065 by Sen. Menéndez

This bill would have protected and increased state financial support for bilingual education and ESL programs in schools through per-pupil funding.

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## Support Children in School (continued)

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**SB 2215 by Sen. Blanco**

Similar to HB 4421 by Rep. Meza

This bill would have required school districts to update their literacy plans to include information on dual language programs and report data in both program languages, rather than just English outcomes.

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## Support Children in Child Care

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**HB 168 by Rep. M. González**

Similar to SB 1140 by Sen. Zaffirini

This bill would have prevented discrimination in child care based on disability and ensured that more children in child care with disabilities receive Early Childhood Intervention services.

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**HB 1364 by Rep. Romero**

Similar to SB 971 by Sen. Zaffirini

This bill would have increased the supply of child care through contracts.

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**HB 1761 by Rep. Julie Johnson**

This bill would have created a task force to study and make recommendations to improve access and affordability of child care.

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**HB 1964 by Rep. Lopez**

This bill would have directed state officials to study the cost of providing quality child care in comparison to family income.

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**HB 2729 by Rep. Lopez**

This bill would have required any state agency that provides child care assistance to post on its website and provide printed materials information related to child care services available to veterans and their families.

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## Impact Children

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**HB 51 by Rep. Talarico**

This bill would have established an Office of Early Childhood to coordinate, consolidate, and integrate early childhood programs.

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**HB 495 by Rep. Wu**

This bill would have clarified that a child care facility may provide notice of the percentage of children attending a program who are immunized, the percentage of adults employed who are immunized, and the facility's handwashing policy to prevent the spread of infection.

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**SB 139 by Sen. Johnson**

This bill would have clarified that a child care facility may provide notice of the percentage of children attending a program who are immunized.

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# MATERNAL AND CHILD HEALTH

Status as of May 31, 2021. The Governor may veto bills until June 20, 2021.

## PASSED

### Support Children

#### **HB 4 by Rep. Price**

Similar to HB 974 by Price and SB 412 by Buckingham

This bill improves access to telehealth by making permanent the flexible policies that were initiated in response to COVID-19.

#### **HB 290 by Rep. Cortez**

Similar to SB 39 by Sen. Zaffirini; Passed as a provision of HB 2658

This bill allows eligible children to remain enrolled in Medicaid insurance by reducing inaccurate mid-year eligibility reviews.

#### **HB 2658 by Rep. Frank**

Includes provisions similar to SB 2028 by Sen. Kolkhorst and HB 290 by Rep. Cortez

This omnibus bill improves the administration and operation of the Medicaid managed care program including several programs that impact children.

#### **SB 1911 by Sen. Blanco**

Similar to HB 4343 by Rep. Rose; Passed as amendment to HB 4

This bill makes it easier for Medicaid Managed Care Organizations to communicate with applicants.

#### **SB 1914 by Sen. Blanco**

Similar to HB 1230 by Rep. Ortega and HB 1449 by Rep. Romero

This bill improves access to SNAP nutrition benefits by modernizing the way a vehicle's value is considered in the SNAP eligibility process.

#### **SB 1059 by Sen. Paxton**

Similar to HB 2963 by Rep. Klick

This bill directs HHSC to implement a streamlined enrollment and renewal process for former foster youth so that youth have consistent access to health care.

#### **SB 1921 by Sen. Lucio**

This bill ensures health providers are reimbursed for care delivered when a client first enters Medicaid coverage and is enrolling in a health insurance plan.

#### **SB 1648 by Sen. Perry**

Similar to HB 4040 by Rep. Krause

This bill enables kids who are medically fragile or have special health care needs to continue receiving care from a specialty provider even if they have private health insurance and Medicaid STAR Kids coverage.

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## Support Children by Supporting Maternal Health

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### **HB 133 by Rep. Rose**

Similar to HB 98 by Rep. Ortega,  
HB 107 by Rep. S. Thompson,  
HB 146 by Rep. Thierry,  
HB 414 by Rep. Walle,  
SB 141 by Sen. Johnson

This bill extends mothers' postpartum Medicaid insurance to cover six months rather than two months.

### **SB 1149 by Sen. Kolkhorst**

Passed as a provision of HB 133  
by Rep. Rose

This bill transitions the Healthy Texas Women program to a managed care model in order to better connect women with essential health services.

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## DID NOT PASS

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### Support Children

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### **HB 105 by Rep. Ortega**

Similar to SB 136 by Sen. Johnson

This bill would have promoted the use of promotoras and community health workers in Medicaid.

### **HB 168 by Rep. M. González**

Similar to SB 1140 by Sen. Zaffirini

This bill would have prevented discrimination in child care based on disability and ensured that more children in child care with disabilities receive Early Childhood Intervention services.

### **HB 843 by Rep. Lopez**

Similar to HB 908 by Rep. Julie Johnson

This bill would have required private insurance companies to cover Early Childhood Intervention services.

### **HB 1594 by Rep. Allen**

This bill would have required school districts to create and institute recess policies that reflect best practice, consider recommendations from the School Health Advisory Committee (SHAC), and allow children the opportunity to be active and practice life skills.

### **HB 2333 by Rep. Howard**

Similar to SB 1520 by Sen. Seliger

This bill would have scaled up evidence-based voluntary nurse home visits for caregivers with newborns, such as visits conducted through Family Connects.

### **HB 4139 by Rep. Coleman**

This bill would have reinstated the state Office for Healthy Equity.

### **HB 4302 by Rep. Rose**

Similar to SB 1199 by Sen. Powell

This bill would have reinstated the MEDCARES grant program and transferred administration of the program from DSHS to HHSC.

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## Support Children (continued)

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**HB 4334 by Rep. Minjarez**

Similar to SB 2082 by Sen. Menendez

This bill would have required public schools to provide information regarding Medicaid, CHIP, and SNAP (formerly food stamp) eligibility to guardians when a student enrolls, transfers, or withdraws from a school district.

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**SB 1858 by Sen. Powell**

This bill would have promoted group prenatal and group well-child care models by updating reimbursement and promoting value-based initiatives between providers and health plans.

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## Support Children by Supporting Maternal Health

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**HB 105 by Rep. Ortega**

Similar to SB 136 by Sen. Johnson

This bill would have promoted the use of promotoras and community health workers in Medicaid.

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**HB 136 by Rep. Thierry**

This bill would have improved data collection on maternal mortality and morbidity.

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**HB 158 by Rep. Thierry**

This bill would have established a pilot program to cover doula services for pregnant women in Medicaid so more mothers have healthy pregnancies and childbirths.

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**HB 415 by Rep. Walle**

Similar to HB 2685 by Rep. Thierry

This bill would have added doula services as a Medicaid benefit for pregnant women.

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**HB 1730 by Rep. Larson**

Similar to numerous bills

This bill would have drawn down federal Medicaid expansion funding to provide insurance to uninsured Texas adults.

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**HB 1991 by Rep. Thierry**

Similar to SB 147 by Sen. Powell

This bill would have created a maternal mental health peer support pilot program for perinatal mood and anxiety disorder.

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**HB 3871 by Rep. Julie Johnson**

Similar to SB 117 by Sen. Johnson

This bill would have directed state officials to seek a waiver to draw down federal Medicaid expansion funding and create a Live Well Texas program to provide insurance to uninsured Texas adults.

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**SB 1858 by Sen. Powell**

This bill would have promoted group prenatal and group well-child care models by updating reimbursement and promoting value-based initiatives between providers and health plans.

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