



# Testimony

## HB 3691

### Community-Based Care

#### *Testimony Submitted to the Texas House Human Services Committee*

By Andrew C. Brown, JD

Chairman Frank and Members of the Committee:

My name is Andrew Brown, and I have the privilege of serving as a senior fellow of child and family policy at the Texas Public Policy Foundation. Thank you for the opportunity to offer testimony in support of [House Bill 3691](#) and the ongoing effort to make the Texas foster care system safer and more responsive to the needs of children.

In 2017, the 85th Legislature responded to ongoing systemic problems plaguing the state's centrally managed foster care system by enacting historic reforms that gave local private and nonprofit charities primary responsibility for caring for children in foster care in their communities. These reforms, known collectively as community-based care, were intended to move away from a top-down approach managed from Austin by the Department of Family and Protective Services in favor of a bottom-up approach in which local communities were given the flexibility to innovate based on the unique needs of at-risk children and families in their region.

Over the course of the last 4 years, impressive strides have been made in improving outcomes for children and developing new, more effective ways of serving the most vulnerable Texans. Critical lessons have also been learned as local community providers collaborated with the department to chart a new path for the state's foster care system. In order to finish the job of transforming the Texas foster care system, the state must seize this opportunity to improve the model based on what has been learned during the initial rollout of community-based care.

Any successful entrepreneur will tell you that they got to where they are by being willing to learn and adjust their plan. House Bill 3691 fine-tunes the plan for community-based care in response to data collected during implementation and feedback received from the local providers tasked with making the vision a reality.

House Bill 3691 does this by making a number of adjustments to the community-based care enacting statute that provide additional clarity, predictability, and accountability. Most importantly, the bill includes language that fulfills the Legislature's intent that the implementation of community-based care be community-driven.

Over the last few years, I have had the privilege of developing relationships with many of the lead agencies in community-based care regions as well as service providers preparing for the moment when the model comes to their region. A common barrier cited by these providers is the lack of a clear implementation plan and shifting expectations. This issue was also cited in the [Community-Based Care Process Evaluation](#) conducted by Texas Tech University, which noted that the lack of clarity and specificity in community-based care contracts and scopes of work has "led to significant, and unnecessary, confusion and frustration in local implementation efforts."

House Bill 3691 addresses this problem in Section 3 of the bill, which requires the department to work with local stakeholders to develop a specific implementation plan for each individual catchment area. Increasing the role of local stakeholders during the planning phase will help ensure that the model is truly community-driven and tailored to the unique strengths and needs of individual regions of the state. Section 6 of the bill also brings much-needed clarity to implementation by adding new language requiring the department to "develop and apply standard criteria to assess the ability of a single source continuum contractor" to meet the requirements of the contract. Incorporating standard criteria into the

readiness review process will give providers throughout the state notice of the precise expectations associated with becoming a single source continuum contractor and enable regions to adequately prepare for implementation.

The final change that I will highlight is the incorporation of family preservation into the goals of community-based care. This addition recognizes that strengthening and preserving families should always be the primary goal of our child welfare system. It also brings community-based care into alignment with the federal Family First Prevention Services Act, allowing single source continuum contractors to access Title IV-E funds to provide family preservation services.

Across all regions where community-based care is operating, local providers are showing positive gains in key performance indicators such as child safety, placement stability, and placement in the least restrictive setting. The model also enjoys strong support among the public. A recent poll commissioned by the Foundation and conducted by WPA Intelligence found that 76% of registered Texas voters [support the community-based model for foster care](#). This is up from 62% who expressed support in March 2020. The largest increases in support came from regions of the state where community-based care is operating, suggesting that Texans not only support the model, but that their support increases when they see it in action in their own communities.

It is important that the state continue to build on this success and work to improve the model. Community-based care is the future of the Texas foster care system, and House Bill 3691 is a thoughtful, evidence-informed update of the model that will help the state achieve its goal of creating a safer, more innovative, and more responsive foster care system.

Thank you for your time and your work on behalf of our state. I am happy to answer any questions. ★

## ABOUT THE AUTHOR



**Andrew C. Brown, JD**, is the distinguished senior fellow of child and family policy at the Texas Public Policy Foundation.

Brown has dedicated his career to serving vulnerable children and strengthening families through community-focused, liberty-minded solutions. As an attorney, he has represented children in the child welfare system, advocated for the rights of parents, and helped build families through domestic and international adoption.

Andrew earned his BA magna cum laude in political science from Baylor University and his JD from Southern Methodist University Dedman School of Law. He is licensed to practice law in Texas and Virginia. His work on international adoption law and other child welfare issues has been published in leading legal journals and respected media outlets.

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