

ARTICLE 3

SECTION 3.01. (a) Subchapter A, Chapter 41, Human Resources Code, is amended by adding Sections 41.0011 and 41.0012 to read as follows:

Sec. 41.0011. MEMORANDUM OF UNDERSTANDING ON SERVICES FOR MULTIPROBLEM CHILDREN AND YOUTH. (a) The department, the Texas Department of Mental Health and Mental Retardation, the Texas Department of Health, the Texas Youth Commission, the Texas Juvenile Probation Commission, the Texas Rehabilitation Commission, the Texas Commission for the Blind, and the Central Education Agency shall adopt a joint memorandum of understanding to implement a system of local level interagency staffing groups to coordinate services for multiproblem children and youth.

(b) The memorandum must:

(1) clarify the financial and statutory responsibilities of each agency in relation to multiproblem

1 children and youth, including subcategories of funding for
2 different services such as prevention, family preservation and
3 strengthening, emergency shelter, diagnosis and evaluation,
4 residential care, after-care, information and referral, and
5 investigation services;

6 (2) include a functional definition of "multiproblem
7 children and youth";

8 (3) define procedures for interagency cost sharing;

9 (4) define procedures aimed at eliminating duplication
10 of services relating to assessment and diagnosis, treatment,
11 residential placement and care, and case management of multiproblem
12 children and youth;

13 (5) define procedures for addressing disputes between
14 the agencies that relate to the agencies' areas of service
15 responsibilities;

16 (6) provide that each local level interagency staffing
17 group will include a local representative of the department and
18 each agency and not more than five representatives of local private
19 sector youth agencies;

20 (7) provide that if an agency is not able to provide
21 all the services a child requires, the agency may submit the
22 child's case history to the local level interagency staffing group
23 for consideration;

24 (8) provide that a local level interagency staffing
25 group may be called together by a representative of any member
26 agency;

1 (9) provide that an agency may be excused from
2 attending a meeting if the staffing group determines that the age
3 or needs of the children or youth to be considered are clearly not
4 within the agency's service responsibilities;

5 (10) provide that records that are used or developed
6 by the department and other agencies and that relate to a
7 particular child are confidential and may not be released to any
8 other person or agency except as provided under this section or by
9 other law; and

10 (11) provide a procedure that permits the department
11 and other agencies to share confidential information while
12 preserving the confidential nature of the information.

13 (c) These agencies in the formulation of this memorandum of
14 understanding shall consult with and solicit input from advocacy
15 and consumer groups.

16 (d) Not later than the last month of each state fiscal year,
17 the department and the other agencies shall review and update the
18 memorandum.

19 (e) Each agency by rule shall adopt the memorandum of
20 understanding and all revisions to the memorandum.

21 Sec. 41.0012. ALLOCATION OF STATE FUNDS. (a) The
22 department shall establish a method of allocating state funds for
23 children's protective services programs that encourages and rewards
24 the contribution of funds or services from all persons, including
25 local governmental entities.

26 (b) Except as provided by this subsection, if a contribution

1 of funds or services is made to support a children's protective
2 services program in a particular county, the department shall use
3 the contribution to benefit that program. The department may use
4 the contribution for another purpose only if the commissioners
5 court of the county gives the department written permission.

6 (b) Not later than September 1, 1988, the Texas Department
7 of Human Services, the Texas Department of Mental Health and Mental
8 Retardation, the Texas Department of Health, the Texas Youth
9 Commission, the Texas Juvenile Probation Commission, the Texas
10 Rehabilitation Commission, the Texas Commission for the Blind, and
11 the Central Education Agency shall adopt a joint memorandum of
12 understanding as prescribed by Section 41.0011, Human Resources
13 Code, as added by this Act. If the Texas Health and Human Services
14 Coordinating Council develops a model for initiating local level
15 interagency staffing groups, the agencies shall use the model in
16 developing the memorandum of understanding.