

SUBJECT: Training for personnel receiving reports of child abuse and neglect

COMMITTEE: Government Reform — favorable, without amendment

VOTE: 7 ayes — Uresti, Otto, Y. Davis, Frost, Gonzales, Hunter, Veasey
0 nays

WITNESSES: For — Jack Downey, The Children's Shelter; Michael James, Citizen's Commission on Human Rights; Andrew Prough, Medical Fraud Reviews; (*Registered but did not testify*: Caroline O'Connor, Texas State Employee's Union; Marcia C. Rachofsky, Texas Federation of Families for Children's Mental Health; Monica Thyssen, Advocacy, Inc.)

Against — None

On — Terri Ware, Texas Department of Family and Protective Services; (*Registered but did not testify*: Elizabeth Kromrei, Child Protective Services, Department of Family and Protective Services)

BACKGROUND: The Department of Family and Protective Services (DFPS) is responsible for the intake system through which the public makes calls to report alleged cases of child abuse and neglect. Current training for the intake specialists who receive these calls involves three weeks of skills training on interviewing and documentation, as well as classes on the legal basis and authority of DFPS. The legal training includes a comprehensive discussion of the statutory definitions of abuse and neglect. These classes are followed by three weeks of on-the-job training with a peer trainer.

When an intake specialist receives a call, the specialist must prioritize a case based on whether the report alleges circumstances that could result in death or serious harm to a child or whether the report is less serious in nature. Any call in which the reported circumstances meet the definitions of abuse and neglect must be investigated.

DIGEST: HB 801 would add sec. 261.3016 to the Family Code, requiring DFPS to develop a new training program for personnel receiving reports of abuse and neglect. The program would be developed in conjunction with local law enforcement officials and the Commission on State Emergency

Communications. Specialists would be trained in methods of screening reports of abuse and neglect and ways to determine the severity of a report.

The bill would take effect September 1, 2005.

**SUPPORTERS
SAY:**

Promoting the use of law enforcement methods for evidence gathering, including guidelines for more in-depth questioning and interpretation of responses, would provide more useful information to both law enforcement and CPS investigators in carrying out their investigations of child abuse and neglect. The better the fact gathering on the part of intake specialists, the more accurately they could determine the severity of incoming reports and prioritize them accordingly. This would determine the proper level of response by authorities and provide more useful evidence in conducting investigations. The more informed these bodies were, the better equipped they will be to protect Texas children.

More thorough intake techniques also could reduce caseloads for the state's overburdened Child Protective Services (CPS) caseworkers. In 2004 alone, specialists took 291,000 calls reporting abuse and neglect. Screening out more cases would allow investigators to focus more time on helping true victims of abuse and neglect. It also would prevent harmful disruptions to some families who do not require intervention. Intake specialists sometimes receive false reports – such as in a case where a custody battle over a child is taking place – and many of these reports could be disproved through better fact-gathering and intake techniques, rather than full CPS investigations.

**OPPONENTS
SAY:**

Intake specialists already receive thorough training on the legal definitions of abuse and neglect, in addition to receiving training in proper interviewing and documentation of reports of these alleged offenses. This training is sufficient to make the statutorily required reports of abuse and neglect to the proper authorities. Developing a different training program would represent an unnecessary cost in both funds and employee time, yet not enhance child safety and health outcomes. In fact, a training program designed with a greater emphasis on screening out calls could place pressure on intake specialists to report fewer cases, which could allow more cases of real neglect and abuse to be overlooked.

NOTES:

In the fiscal note, DFPS estimates a one-time cost of \$14,636 to develop the training program, but it is assumed that this cost could be absorbed into the current agency budget.