

SUBJECT: Expanding DFPS prevention and early intervention services

COMMITTEE: Human Services — committee substitute recommended

VOTE: 8 ayes — Raymond, Frank, Klick, Miller, Minjarez, Rose, Swanson, Wu
0 nays
1 absent — Keough

WITNESSES: For — Peter Sakai, 225th District Court; Melanie Rubin, Dallas Early Education Alliance; Will Francis, National Association of Social Workers-Texas Chapter; Sarah Crockett, Texas CASA; Patricia Hogue, Texas Lawyers for Children; Madeline McClure, TexProtects; (*Registered, but did not testify:* Cynthia Humphrey, Association of Substance Abuse Programs; Kathryn Freeman, Christian Life Commission; Gyl Switzer, Mental Health America of Texas; Christine Yanas, Methodist Healthcare Ministries; Greg Hansch, National Alliance on Mental Illness (NAMI) Texas; Katherine Barillas, One Voice Texas; Diane Ewing, Texans Care for Children; Shannon Noble, Texas Counseling Association; Joshua Houston, Texas Impact; Clayton Travis, Texas Pediatric Society; Harrison Hiner, Texas State Employees Union; James Thurston, United Ways of Texas; Knox Kimberly, Upbring; Sacha Jacobson; Thomas Parkinson)

Against — Lee Spiller, Citizens Commission on Human Rights; Judy Powell and Johana Scot, Parent Guidance Center; Jeremy Newman, Texas Home School Coalition; (*Registered, but did not testify:* Jackie Schlegel, Texans for Vaccine Choice; Nicole Hudgens, Texas Values; Monica Ayres; Angel Cook)

On — Jim Black, Angel Eyes Over Texas; Sasha Rasco and Tiffany Roper, Department of Family and Protective Services; Kristi Taylor, Supreme Court Children's Commission; Ryan Larson; (*Registered, but did not testify:* Lisa Kanne, Kaysie Taccetta, and Ric Zimmerman, Department of Family and Protective Services; Evelyn Delgado, Texas

Department of State Health Services)

DIGEST:

CSHB 1549 would require the Department of Family and Protective Services (DFPS) to establish web-based systems for case management and foster children's placement, collect, utilize, and report data, and increase DFPS prevention and early intervention services.

Placement of children. The bill would require DFPS, subject to the availability of funds, to use a web-based system to assist the department in making the most appropriate placement decisions for a child in foster care. The system would include certain elements such as suggested child placements and potential foster care providers near a child's home or school, among other considerations listed in the bill.

Foster care provider recruitment plan. Subject to the availability of funds, DFPS would collaborate with current foster and adoptive parents to develop and implement a plan to recruit foster care providers. The plan would:

- identify geographic areas where there was a need for foster care providers using risk stratification modeling or risk assessments of geographic areas with high occurrences of child abuse, neglect or child fatalities;
- use data analysis, social media, and partnerships with faith-based and volunteer organizations;
- identify the number of available foster care providers for children with high needs to expand the use of therapeutic or treatment foster care for children in those placements;
- provide programs to assist prospective and current foster and adoptive parents with training, respite care, and peer assistance;
- include strategies for increasing the number of kinship providers; and
- include strategies to ensure children in foster care do not have to transfer schools after entering foster care.

Family preservation services. Subject to the appropriation of funds, the

bill would require DFPS to implement an evidence-based pilot program that provides frequent in-home visits to no more than 2,000 families who have a history of child abuse or neglect. The program would include guidelines for the frequency of monthly contact by DFPS with the family, based on the child abuse and neglect risk factors in each case.

Data collection. The Department of State Health Services (DSHS) would have to include near fatality child abuse or neglect cases in the child fatality case database, for cases in which child abuse or neglect is determined to have been the cause of the near fatality.

Data tracking. The bill would require DFPS to produce a report regarding child fatality and near fatality cases resulting from child abuse or neglect. The report would contain:

- any prior contact DFPS had with the child's family and the manner in which the case was disposed;
- for any case investigated by DFPS involving the child or the child's family, certain information about caseworkers assigned to the case;
- for any case in which the DFPS investigation concluded there was reason to believe that abuse or neglect occurred, and the family was referred to family-based safety services, certain information about the safety plan provided to the family;
- the number of contacts DFPS made with children and families in family-based safety services cases; and
- the initial and attempted contacts DFPS made with child abuse and neglect victims.

Report. DFPS would be required to submit an annual report on the number of child abuse and neglect cases in residential child care facilities; families referred to family preservation services; children removed from homes due to child abuse and neglect investigations; children placed in substitute care; children placed outside the child's county or region; and children in DFPS conservatorship. The report also must include information on the recurrence of abuse or neglect and the workforce turnover for Child Protective Services (CPS) employees.

Prevention and early intervention services. The bill would require DFPS to include in its five-year strategic plan for prevention and early intervention services a growth strategy for increasing the number of families receiving prevention and early intervention services each year.

The bill would require DFPS to improve the effectiveness and delivery of prevention and early intervention services by:

- identifying geographic areas that have the highest need for prevention and early intervention services, including high risk areas that lack available services; and
- developing strategies for community partners to improve the early recognition and reporting of child abuse and neglect and prevent child fatalities.

The bill would prohibit DFPS from using the collected data to identify a specific family or individual.

Subject to an appropriation of funds, the bill would require DFPS by August 31, 2019, to expand the capacity of home visiting services provided by the prevention and early intervention services division of DFPS by 20 percent in six counties identified as having the highest need for such services.

Designation of caseworkers. The bill would require DFPS to designate current tenured caseworkers to conduct investigations involving child fatalities. In geographic areas with demonstrated need, DFPS would designate employees to serve as investigators and responders for after-hours reports of child abuse or neglect.

Caseload management system. Subject to an appropriation of funds, DFPS would develop and implement a caseload management system for CPS caseworkers and managers that ensures equity in the workload distribution, based on the complexity of each case.

Prevention Advisory Board. The bill would establish the Prevention Advisory Board in DFPS to promote public awareness and make recommendations to the Health and Human Services Commission, DSHS, DFPS, the governor, and the Legislature regarding the prevention of child abuse and neglect.

Effective date. The bill would take effect September 1, 2017.

**SUPPORTERS
SAY:**

CSHB 1549 would strengthen prevention and early intervention services, data collection and utilization, and family preservation and reunification among families with a history of child abuse or neglect. Families could opt in or out of the family preservation services pilot program. Establishing the program is necessary for protecting Texas' most vulnerable children.

**OPPONENTS
SAY:**

CSHB 1549 could lead to unnecessary home visits of low-income families simply because a family's household income qualifies as a risk factor for child abuse and neglect.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of about \$113 million in general revenue related funds during fiscal 2018-19.