

- SUBJECT:** Analyzing adverse disproportionalities of children in CPS system
- COMMITTEE:** Human Services — committee substitute recommended
- VOTE:** 7 ayes — Frank, Hinojosa, Meza, Neave, Noble, Rose, Shaheen
- 1 nay — Klick
- 1 absent — Hull
- WITNESSES:** For — Judy Powell, Parent Guidance Center; Julia Hatcher, Texas Association of Family Defense Attorneys; Ajshay James; (*Registered, but did not testify*: Stacy Wilson, Children's Hospital Association of Texas; Alison Mohr Boleware, National Association of Social Workers-Texas Chapter; Adriana Kohler, Texans Care for Children; Jamie McCormick, Texas Alliance of Child and Family Services; Sarah Crockett, Texas CASA; Breall Baccus, Texas Council on Family Violence; Joshua Houston, Texas Impact; Dan Finch, Texas Medical Association; Eric Woomer, Texas Pediatric Society; Kerrie Judice, TexProtects; Molly Weiner, United Ways of Texas; Thomas Parkinson)
- Against — None
- On — Liz Kromrei, Department of Family and Protective Services
- BACKGROUND:** Concerns have been raised that African-American children face higher risks of being removed from their families and placed in foster care. Some have called for the Department of Family and Protective Services to build upon existing efforts in reducing or eliminating inequity among different demographic groups in the child protective services system.
- DIGEST:** CSHB 1237 would require the commissioner of the Department of Family and Protective Services (DFPS) to analyze the adverse disproportionate involvement of children in a demographic group in the child protective services (CPS) system, including at each stage of CPS investigations.

Team. On identifying an adverse disproportionality, the commissioner would be required to establish a team to address the disproportionality and communicate the disproportionality to the governor, lieutenant governor, House speaker, and the chairs of the standing committees of the Senate and House of Representatives with primary jurisdiction over DFPS.

Under the bill, the commissioner of DFPS would be required to appoint representatives to the established team with expertise in different subjects relevant to the disproportionality. The commissioner would have to direct the team to:

- research an evidence-based approach to address the adverse disproportionality;
- identify resources for addressing and eliminating or reducing the disproportionality; and
- assist the commissioner in obtaining those resources from and if necessary requesting those resources from the Legislature.

The commissioner would have to set a time to complete the elimination or reduction of the adverse disproportionality and measures for determining whether the disproportionality had been eliminated or reduced.

Reports. As soon as practicable, the commissioner would have to report to the governor, lieutenant governor, House speaker, and the chairs of the standing committees of the Senate and House of Representatives with primary jurisdiction over DFPS on:

- the evidence-based approach the department would use to eliminate or reduce the adverse disproportionality;
- the resources needed to eliminate or reduce the disproportionality;
- the time set to complete the elimination or reduction of the disproportionality; and
- the strategic plan and measures to eliminate or reduce the disproportionality.

At the conclusion of the time set by the commissioner to complete the

elimination or reduction of the adverse disproportionality, the commissioner would be required to report to the referenced persons above the results of the department's evidence-based approach to eliminating or reducing the disproportionality and whether the department's approach was successful or failed.

The bill would take effect September 1, 2021.

NOTES: According to the Legislative Budget Board, the bill would have a negative impact of about \$856,000 to general revenue through fiscal 2023.