

## **BILL ANALYSIS**

Senate Research Center  
81R2677 MCK-D

S.B. 1734  
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Health & Human Services  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The turnover rate for child protective services (CPS) caseworkers at the Department of Family and Protective Services (DFPS) in 2008 was above 30 percent. High turnover has been demonstrated to have an adverse effect on co-workers and reduces children's chances of reaching timely permanency due to caseworker hand-offs. Turnover is exacerbated when a caseworker resigns and the position is not filled in a timely basis. Abandoned caseloads of the resigned caseworker are redistributed to remaining caseworkers in a unit, which further burdens the remaining caseworkers.

This bill would allow DFPS to exceed its full-time employee cap when turnover exceeds 20 percent in a given region, such that DFPS can fill vacant positions, thereby staying ahead of turnover and reducing the amount of time it takes to replace a caseworker. The hire-ahead allows DFPS to replace resigned workers in a timely basis, therefore, increasing retention of the remaining workers.

As proposed, S.B. 1734 amends current law relating to the Department of Family and Protective Services caseworker replacement program.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 40.0324, Human Resources Code, as follows:

Sec. 40.0324. CASEWORKER REPLACEMENT PROGRAM. (a) Defines "caseworker" and "training academy."

(a-1) Requires the Department of Family and Protective Services (DFPS) to develop, rather than to the extent that funding is available to develop, a program to provide for the timely replacement of caseworkers with trainees hired in anticipation of vacancies.

(b) Requires DFPS, in developing the program, to:

(1) remove the limit on the number of authorized positions for a category of caseworker in a region of the state in which the turnover rate for that category exceeds 20 percent;

(2) increase the number of trainee positions for a category of caseworker described by Subdivision (1) in the training academy in the region to a total that is 140 percent of the number of trainee positions that existed immediately before September 1, 2009;

(3) maintain the number of trainers and other necessary positions in the training academy in the region at the level necessary to accomplish the purposes of Subdivision (2); and

(4) provide available funds as necessary to accomplish the purposes of this subsection. Deletes existing text requiring DFPS, in developing the program, to consider the turnover rate for caseworkers by region.

SECTION 2. (a) Requires DFPS, not later than December 31, 2010, to submit a report to the legislature regarding the effect of Section 40.0324, Human Resources Code, as amended by this Act, on the retention of caseworkers in the state.

(b) Requires that the report under Subsection (a) of this section include an assessment of the continuing need for the caseworker replacement program under Section 40.0324, Human Resources Code, as amended by this Act, and a recommendation on whether the program should be continued.

SECTION 3. Effective date: September 1, 2009.