

## **BILL ANALYSIS**

Senate Research Center  
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S.B. 1758  
By: Uresti  
Health & Human Services  
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As Filed

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

The Department of Family and Protective Services (DFPS) continues to experience high turnover rates among Child Protective Services (CPS) caseworkers in Texas. Several studies, including the 2012 Senate Health and Human Services Committee Interim Report, have shown a myriad of factors contributing to high caseworker turnover, including unmanageable workloads and caseloads, lack of supportive supervision, high-stress levels, long hours, low unit cohesion and morale, and a lower quality of assistance.

S.B. 1758 creates a task force to examine the hiring and management practices of DFPS in an effort to develop strategies that will identify issues within DFPS that have led to high turnover and develop strategies and methods to reduce turnover and improve outcomes for children. The task force will be composed of external business chief executive officers, expert labor consultants, human resource leaders, other innovators, and CPS program staff to design a performance-based compensation and recognition system to improve the hiring and retention of CPS caseworkers. Other recommendations include hiring ahead for caseworkers, streamlining administrative tasks, identifying and replicating best practices, and allowing flexible schedules as methods to solve the issues leading to high CPS turnover rates.

As proposed, S.B. 1758 amends current law relating to the establishment of a task force to examine hiring and management practices of the Department of Family and Protective Services.

### **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 Chapter 531, Government Code, by adding Subchapter X, as follows:

#### **SUBCHAPTER X. TASK FORCE TO EXAMINE CHILD PROTECTIVE SERVICES HIRING AND MANAGEMENT PRACTICES**

Sec. 531.971. DEFINITIONS. Defines "commission," "department," "division," and "task force" in this subchapter.

Sec. 531.972. ESTABLISHMENT OF TASK FORCE; COMPOSITION. (a) Provides that the Task Force to Examine Hiring and Management Practices to Improve Hiring and Retention of Child Protective Services Caseworkers and Improve Child Welfare (task force) is established to examine hiring and management practices, to develop policy recommendations, if needed, and to design a comprehensive performance-based compensation and recognition system with the goal of increasing retention and reducing turnover of the child protective services division of the Department of Family and Protective Services (division) (DFPS) caseworkers.

(b) Provides that the task force is composed of:

(1) the following members appointed jointly by the chair of the Senate Health and Human Services Committee and the chair of the House Human Services Committee:

(A) one member from DFPS administration;

(B) one former division caseworker;

(C) three members from DFPS, each of whom is at a different stage of service in the division as follows:

(i) one current division caseworker;

(ii) one current division supervisor; and

(iii) one current division program director;

(D) two chief executive officers of corporations that use performance-based compensation in their organization;

(E) one consultant for a nonprofit organization that specializes in human resources and recruitment and retention initiatives;

(F) two human resources directors for for-profit entities who are familiar with performance-based compensation and the recruitment and retention of employees; and

(G) one member from a statewide advocacy organization that advocates in the field of child protective services;

(2) one member from the human resources department of the Health and Human Services Commission (HHSC) appointed by the executive commissioner of HHSC; and

(3) any other person the chair of the Senate Health and Human Services Committee and the chair of the House Human Services Committee jointly determine to be appropriate.

Sec. 531.973. VACANCY. Requires that a vacancy on the task force be filled in the same manner as the original appointment.

Sec. 531.974. PRESIDING OFFICER. Requires the member appointed by the executive commissioner of HHSC to serve as the presiding officer of the task force.

Sec. 531.975. MEETINGS. Requires the task force to meet at the call of the presiding officer.

Sec. 531.976. COMPENSATION; REIMBURSEMENT. Provides that members of the task force are not entitled to compensation or reimbursement for expenses.

Sec. 531.977. DUTIES. (a) Requires the task force to:

(1) receive reports and testimony from individuals, state and local agencies, community-based organizations, and other public and private organizations;

(2) examine hiring and management practices that reduce turnover and improve outcomes for children, including performance-based compensation and recognition, increasing the percentage of hiring specialists with prior division experience, improving caseworker screening

processes, improving caseworker assignments to best fit employee skills, involving unit supervisors in the hiring and academy training processes, implementing a statewide mentorship program, and developing caseworker unit assignment process to particular geographic regions; and

(3) develop any necessary policy recommendations.

(b) Requires the task force to prepare a report that includes a description of the activities of the task force, the findings and recommendations of the task force, including any proposed policy recommendations, and any proposals for legislation or other matters the task force considers appropriate.

(c) Requires the task force, not later than September 1, 2014, to submit the report required by Subsection (b) to the governor, the lieutenant governor, the speaker of the house of representatives, and the appropriate committees of the senate and the house of representatives.

Sec. 531.978. ADMINISTRATIVE SUPPORT. Requires HHSC to provide reasonably necessary administrative and technical support for task force activities.

Sec. 531.979. RULEMAKING ASSISTANCE. Requires DFPS to seek the assistance of the task force if DFPS proposes to adopt or amend a rule as the result of a recommendation of the task force.

Sec. 531.980. APPLICABILITY OF ADVISORY COMMITTEE LAW. Provides that Chapter 2110 (State Agency Advisory Committees) does not apply to the task force.

Sec. 531.981. EXPIRATION. Provides that the task force is abolished and this subchapter expires September 1, 2015.

SECTION 2. Requires the appropriate persons, as soon as practicable after the effective date of this Act, to appoint the members of the task force created by Subchapter X, Chapter 531, Government Code, as added by this Act.

SECTION 3. Effective date: upon passage or September 1, 2013.