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*TEXAS COUNCIL OF CHILD WELFARE BOARDS*  
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**TexProtects**

The Texas Association for the Protection of Children



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# LOOKING BACK TO GUIDE THE FUTURE

HIGHLIGHTS FOR THE 83<sup>RD</sup> LEGISLATIVE SESSION



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# HIGHLIGHTS FROM THE 83<sup>RD</sup> : CHILD PROTECTION LEGISLATION



- **Home Visiting expansion and Accountability Act (SB 426)**
  - Ensures home visiting programs set clear standards and are accountable for fidelity and outcomes
- **Home Visiting Trust Fund (SB 1846)**
  - Allows TX citizens to make voluntary contributions to the THVP on birth certificates, marriage licenses and divorce decrees
- **Texas Protect our Kids Act (HB 1633)**
  - Creates the Protect Our Kids Commission to study relationship between CPS and child welfare services and the rate of child abuse and neglect fatalities
- **Flexible Response of CPS Investigations (SB 423)**
  - Allows DFPS to conduct and alternate response as long as the report does not allege childhood sexual abuse, fatalities, or indicate risk of serious physical or immediate serious harm

# HIGHLIGHTS FROM THE 83<sup>RD</sup>: BUDGET

<b>DFPS Strategy (Biennium All Funds)</b>	<b>FY 2012 – 2013 Operating</b>	<b>FY 14-15 SBI Introduced + Exceptional Items</b>	<b>Percent Increase Requested</b>	<b>83rd Regular Session, SB-1</b>	<b>% Increase from 12- 13</b>
1-1 Statewide Intake	36,417,452	39,474,635	8.4%	38,997,515	7.1%
2-1 CPS Direct Delivery Staff	828,601,741	1,002,893,306	21.0%	954,451,999	15.2%
2-2 CPS Program Support	95,808,728	102,626,270	7.1%	102,198,616	6.7%
2-3 TWC Foster Day Care	24,573,917	26,915,421	9.5%	26,915,421	9.5%
2-4 TWC Relative Day Care	20,253,842	21,318,446	5.2%	21,318,446	5.3%
2-5 TWC Protective Day Care	34,369,681	44,217,493	28.6%	44,217,493	28.7%
2-6 Adoption Purch Svcs	9,903,888	13,186,902	33.1%	13,186,902	33.1%
2-7 Post-Adoption Purch Svcs	5,031,929	7,102,031	41.1%	7,102,031	41.1%
2-8 PAL Purchased Svcs	18,137,720	19,284,438	6.3%	19,284,438	6.3%
2-9 Substance Abuse Purch Svcs	10,218,007	10,644,528	4.2%	10,644,528	4.2%
2-10 Other CPS Purch Svcs	59,199,977	61,992,026	4.7%	61,992,026	4.7%
2-11 Foster Care Payments	736,544,050	763,338,255	3.6%	780,008,717	5.9%
2-12 Adoption and PCA Payments	403,176,023	459,977,233	14.0%	461,312,102	14.4%
2-13 Relative Caregiver Payments	19,631,614	25,727,878	31.1%	23,256,868	18.5%
<b>CPS Total Funding</b>	<b>\$2,265,451,117</b>	<b>\$2,559,224,227</b>	<b>13.0%</b>	<b>\$2,525,889,587</b>	<b>11.5%</b>

# HIGHLIGHTS FROM THE 83<sup>RD</sup>: BUDGET

<b>Program Staff</b>	<b>2013 FTEs</b>	<b>2015 Additional FTE Request</b>	<b>2015 Total FTEs Received</b>	<b>Difference b/w 2013</b>	<b>% Increase from 2013</b>
<b>Statewide Intake Staff</b>	423.2	20.6	443.8	<b>+20.6</b>	<b>4.9 %</b>
<b>CPS Direct Delivery Staff</b>	8,055.2	1,360.9	9,052.1	<b>+996.9</b>	<b>12.4 %</b>
Conservatorship Caseworker		426.7	309		
Investigative Caseworker		494	388		
Kinship Caseworker		147.4	106.5		
<b>CPS Program Support Staff</b>	521.1	58.4	566.3	<b>+45.2</b>	<b>8.7 %</b>
<b>Child Care Licensing</b>	609.3	56.9	654	<b>+44.7</b>	<b>7.3%</b>

# HIGHLIGHTS FROM THE 83<sup>RD</sup>: BUDGET



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<b>PEI Program Strategies</b>	<b>FY 2012-2013 Appropriation</b>	<b>% Change from FY10-11</b>	<b>FY 14-15 SBI Intro + Excp. Item Request</b>	<b>FY 2014-2015 Appropriation</b>	<b>% Change from FY12-13</b>
Star Program	\$36.5	-12.9%	\$42.0	\$40.6	11.1%
CYD Program	\$10.1	-35.8%	\$15.7	\$12.1	19.8%
Texas Families Program	\$5.2	-36.7%	\$8.2	\$5.2	0%
Child Abuse Prevention Grants*	\$3.3	-9.5%	\$5.2	\$5.2	58.5%
Other At-Risk Prevention	\$4.6	-74.4%	\$17.9	\$22.1	382.7%
At-Risk Support	\$2.4	-42.9%	\$4.1	\$3.6	47.4%
<b>TOTAL PEI DIVISION BUDGET</b>	<b>\$61.9 million</b>	<b>-32.4%</b>	<b>\$93.1</b>	<b>\$88.8 million</b>	<b>43.3%</b>



Nurse Family Partnership (HHSC)	\$17.75	-0.3%		\$17.75	0%
TX Home Visiting Program (HHSC)	-	-		\$7.9	N/A
MIECHV-Federal	\$21.2	100%		\$31.8	N/A
<b>TOTAL PREVENTION FUNDS</b>	<b>\$100.9 million</b>	<b>-7.9%</b>		<b>\$146.3 million</b>	<b>45%</b>

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# LOOKING TOWARD 2015

POLITICAL LANDSCAPE, PRIORITIES, AND RECOMMENDATIONS

FOR THE 84<sup>TH</sup> LEGISLATIVE SESSION



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# LEGISLATIVE CLIMATE



## State Leadership

- Governor Rick Perry
  - Attorney General Greg Abbott
  - Senator Wendy Davis
- Lt. Governor David Dewhurst
  - Senator Dan Patrick
  - Senator Leticia Van De Putte
- Speaker of the Texas House of Representatives Joe Straus
- Attorney General Greg Abbott
  - Senator Paxton
  - Sam Houston



# LEGISLATIVE CLIMATE



## Key Committees

- Senate Finance – Chairman Tommy Williams - Retired
  - Chair Jane Nelson (Article II)
- Senate Health and Human Services – Chair Charles Schwertner
- House Appropriations – Chairman Jim Pitts
  - Article II – Chairman John Zerwas
- House Human Services – Chairman Richard Raymond
- House Public Health – Chair Lois Kolkhorst (Hegar's seat)
- Sunset Advisory Commission – Chair Jane Nelson

# SUNSET

- **Sunset is the regular assessment of the need for a state agency to exist.**
  - Sunset asks a more basic question: Do the agency's functions continue to be needed?
  - Each agency are subject to Sunset review every 12 years
  - The Health and Human Services Enterprise agencies, including DFPS, were up for Sunset in 2014.
- **The sunset process is directed by a twelve-member body appointed by the Lieutenant Governor and the Speaker of the House of Representatives. Assisting the Commission is a staff whose reports provide an assessment of an agency's programs, giving the legislature information needed to draw conclusions about program necessity and workability.**

**To learn more about Sunset, visit <https://www.sunset.texas.gov/>**

# SUNSET STAFF REPORT: ISSUES/RECOMMENDATIONS TO DFPS



1. Efforts to Reduce Turnover of CPS Caseworkers Fail to Address Key Reasons Many Staff Leave
2. A Crisis Culture Affects CPS' Ability to Focus on Day-to-Day Management Activities Needed to Successfully Perform Its Difficult Work
3. DFPS Faces Significant Challenges and Risks in Its Efforts to Reform the State's Foster Care System
4. DFPS' Enforcement Efforts Must Be Strengthened to Best Ensure the Safety of Children in Regulated Care
5. CPS Does Not Capture Comprehensive Information to Adequately Assess How Well Its Protecting Children
6. DFPS Should Elevate the Importance of Its Prevention and Early Intervention Efforts and Better Use Existing Data to Evaluate Program Effectiveness
7. A Lack of Administrative Flexibility and an Antiquated Fee Collection Process Limit DFPS' Ability to Recover Regulatory Costs
8. The Critical Nature of Its Work to Protect Children and Vulnerable Adults Imposes a Higher Burden on DFPS in How it Obtains Stakeholder Input

# STEPHEN GROUP REPORT



- A comprehensive report, providing both an assessment of and recommendations for, the Department of Family and Protective Services Division of Child Protective Services (CPS) was recently released providing a thorough look into the Texas CPS system.
- The Stephen Group report is groundbreaking in both its depth and breadth of review.
- *The Stephens Group is a business and government consulting agency. TSG was retained by the HHSC and DFPS to conduct a broadly-scoped Operational Review of the Child Protective Services. The objective of the Review was a "top to bottom" assessment followed by recommendations and an implementation plan.*
- The report outlines 160 total recommendations across 16 areas within CPS, some of which include decision-making, recruitment, retention & hiring, policies, and the overall organizational structure.

# INTERIM HEARINGS

## SELECT COMMITTEE ON CHILD PROTECTION



The committee is charged with studying the incidence of abuse and neglect fatalities in Texas and making recommendations to protect children. In developing its recommendations, the committee will:

- Monitor the ongoing efforts of the Department of Family and Protective Services (DFPS), the work of the Protect Our Kids Commission and the National Commission to Eliminate Child Abuse and Neglect Fatalities, and any relevant Sunset Commission recommendations;
- Assess the efficacy of ongoing prevention efforts that target resources to families at risk;
- Examine regulatory policy and contract oversight within the child welfare system;
- Consider ways to encourage consistent, transparent, and timely review of abuse and neglect fatalities;
- Monitor ongoing efforts to stabilize the CPS workforce, placing specific emphasis on improving work environment, enhancing the quality of supervision, and addressing the unique challenges facing different regions of the state;
- Suggest improvements to the screening, assessment, training, and support of potential foster and kinship families;
- Evaluate the ability of children and youth within the system to report maltreatment;
- Monitor ongoing efforts to enhance the use of data to improve outcomes; and
- Consider strategies to ensure better coordination and collaboration among local agencies, faith-based organizations, the private sector, non-profits, and law enforcement to reduce the incidence of abuse and neglect fatalities.

# 84<sup>TH</sup> LEGISLATIVE SESSION: CHILD ABUSE PREVENTION BUDGET PRIORITIES



## 1. Maintenance and Expansion of State Home Visiting Funding

- Expand current funding for the Texas Home Visiting Program
- Serve at least 20%-30% more families across the state with home visiting by investing an additional \$40,930,790 million during the 2016-17 biennium.

## 2. Zero to 3 Child Fatality and Abusive Head Trauma Prevention Funding

- Period of Purple Crying- Only evidenced-based prevention program for abusive head trauma that can be implemented to scale.
- Invest \$5,211,845 for statewide implementation for the 16-17 biennium to fund AHT prevention using the Period of Purple Crying program

## 3. Re-authorization of MIECHV

# 84<sup>TH</sup> LEGISLATIVE SESSION: CPS BUDGET PRIORITIES



1. Maintenance and caseload growth funding for critical services: pre and post adoption services; foster and protective day care; relative caregiver support; and purchased client services.
2. Additional FTEs to lower caseloads for INV, CVS, and FBSS.
3. Additional FTEs to reduce SWI call hold times and abandonment rate.
4. Adoption support during pre-adoption and post-adoption.
5. Higher Education Incentives for FBSS, CVS, and INV.
6. Expand INV stipend to other frontline caseworkers
7. Performance Based Compensation
8. Additional case aides and case techs.
9. Reduce supervisor span of control.
10. Capped caseloads for new hires.
11. Begin PAL services at age 14.



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