

By: Gervin-Hawkins

H.B. No. 35

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the Department of Family and Protective Services'
3 annual report of key performance measures and data elements for
4 child protection; authorizing a penalty.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 264.017, Family Code, is amended by
7 amending Subsection (b) and adding Subsection (g) to read as
8 follows:

9 (b) The department shall provide the report required by
10 Subsection (a) to the legislature and shall publish the report and
11 make the report available electronically to the public, including
12 by posting the report on the department's Internet website, not
13 later than February 1 of each year. The report must include, with
14 respect to the preceding year:

15 (1) information on the number and disposition of
16 reports of child abuse and neglect received by the department;

17 (2) information on the number of clients for whom the
18 department took protective action, including investigations,
19 alternative responses, and court-ordered removals;

20 (3) information on the number of clients for whom the
21 department provided services in each program administered by the
22 child protective services division, including investigations,
23 alternative responses, family-based safety services,
24 conservatorship, post-adoption services, and transitional living

1 services;

2 (4) the number of children in this state who died as a
3 result of child abuse or neglect;

4 (5) the number of children described by Subdivision
5 (4) for whom the department was the children's managing conservator
6 at the time of death;

7 (6) information on the timeliness of the department's
8 initial contact in an investigation or alternative response;

9 (7) information on the response time by the department
10 in commencing services to families and children for whom an
11 allegation of child abuse or neglect has been made;

12 (8) information regarding child protection staffing
13 and caseloads by program area;

14 (9) information on the permanency goals in place and
15 achieved for children in the managing conservatorship of the
16 department, including information on the timeliness of achieving
17 the goals, the stability of the children's placement in foster
18 care, and the proximity of placements to the children's home
19 counties;

20 (10) the number of children who suffer from a severe
21 emotional disturbance and for whom the department is appointed
22 managing conservator, including statistics on appointments as
23 joint managing conservator, due to an individual voluntarily
24 relinquishing custody of a child solely to obtain mental health
25 services for the child;

26 (11) the number of children who are pregnant or a
27 parent while in the managing conservatorship of the department and

1 the number of the children born to a parent in the managing
2 conservatorship of the department who are placed in the managing
3 conservatorship of the department;

4 (12) the number of children who are missing from the
5 children's substitute care provider while in the managing
6 conservatorship of the department; ~~and~~

7 (13) the number of children who were victims of
8 trafficking under Chapter 20A, Penal Code, while in the managing
9 conservatorship of the department; and

10 (14) information on the state's kinship care program.

11 (g) The comptroller shall assess a penalty against the
12 department in the amount of \$1,000 for each day after February 1 the
13 department has not filed the report under Subsection (b). The
14 comptroller shall reallocate the amount assessed as a penalty under
15 this subsection as necessary to allow the department to use the
16 money to provide financial assistance to relative and other
17 designated caregivers under Section 264.755.

18 SECTION 2. This Act takes effect on the 91st day after the
19 last day of the legislative session.