

By: Gates

H.B. No. 5176

A BILL TO BE ENTITLED

AN ACT

relating to an annual report published by the Department of Family and Protective Services regarding child protective services.

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

SECTION 1. Section 40.0516(a), Human Resources Code, is amended to read as follows:

(a) The department shall collect and compile the following data on the state and county level:

(1) the following information for reports of abuse and neglect in residential child-care facilities, as defined by Section 42.002:

(A) the number of reports of abuse and neglect made to the department hotline;

(B) the types of abuse and neglect reported;

(C) the investigation priority level assigned to each report;

(D) the investigation response times, sorted by investigation priority;

(E) the disposition of each investigation;

(F) the number of reports of abuse and neglect to which the department assigned a disposition of call screened out or alternative or differential response provided; and

(G) the overall safety and risk finding for each investigation;

1           (2) the number of families referred to family  
2 preservation services, organized by the risk level assigned to each  
3 family through structured decision-making;

4           (3) the number of children removed from the child's  
5 home as the result of an investigation of a report of abuse or  
6 neglect and the primary circumstances that contributed to the  
7 removal;

8           (4) the number of children placed in substitute care,  
9 organized by type of placement;

10          (5) the number of children placed out of the child's  
11 home county or region;

12          (6) the number of children in the conservatorship of  
13 the department at each service level;

14          (7) the number of children in the conservatorship of  
15 the department who are pregnant or who are a parent;

16          (8) the number of children in the managing  
17 conservatorship of the department who are the parent of a child who  
18 is also in the managing conservatorship of the department;

19          (9) the recurrence of child abuse or neglect in a  
20 household in which the department investigated a report of abuse or  
21 neglect within six months and one year of the date the case was  
22 closed separated by the following type of case:

23               (A) cases that were administratively closed  
24 without further action;

25               (B) cases in which the child was removed and  
26 placed in the managing conservatorship of the department; and

27               (C) cases in which the department provided family

1 preservation services;

2 (10) the recurrence of child abuse and neglect in a  
3 household within five years of the date the case was closed for  
4 cases described by Subdivisions (9)(B) and (C); ~~and~~

5 (11) workforce turnover data for child protective  
6 services employees, including the average tenure of caseworkers and  
7 supervisors and the average salary of caseworkers and supervisors;

8 (12) the number of cases in which the department  
9 interviewed the alleged perpetrator and, of those cases:

10 (A) the number of cases in which the alleged  
11 perpetrator was informed of the alleged perpetrator's right to:

12 (i) record the interview under Section  
13 261.3027, Family Code; and

14 (ii) request an administrative review of  
15 the department's findings under Section 261.309, Family Code;

16 (B) the number of cases in which the alleged  
17 perpetrator signed the department's form informing the alleged  
18 perpetrator of the alleged perpetrator's rights prior to the  
19 interview; and

20 (C) the number of cases in which the department's  
21 form informing the alleged perpetrator of the alleged perpetrator's  
22 rights is included in the department's records for that case;

23 (13) for each case in which an investigation of child  
24 abuse or neglect resulted in a disposition of reason to believe  
25 abuse or neglect occurred:

26 (A) the number of cases in which the department  
27 was granted temporary managing conservatorship of the child and, of

1 those cases, the number of children placed:

2 (i) in foster care;

3 (ii) with a relative caregiver; and

4 (iii) with a designated caregiver;

5 (B) the number of cases in which the department  
6 entered into a parental child safety placement agreement with a  
7 parent or other person with whom the child resides under Section  
8 264.902, Family Code, and, of those cases, the number of children  
9 placed with a parental child safety placement caregiver who is:

10 (i) a relative;

11 (ii) a close friend; or

12 (iii) someone other than an individual  
13 listed in Subparagraph (i) or (ii); and

14 (C) the number of cases in which the child  
15 remained with the child's parent or other person with whom the child  
16 resides;

17 (14) the number of cases in which a suit was filed  
18 after a child was taken into possession without a court order by a  
19 governmental entity in which the initial hearing was ex parte and,  
20 of those cases:

21 (A) the number of cases in which the court  
22 granted temporary managing conservatorship of the child to the  
23 department; and

24 (B) the number of cases in which the court  
25 ordered the return of the child;

26 (15) the number of cases in which the department filed  
27 a petition for the removal of the alleged perpetrator from the

1 residence of the child and, of those cases:

2 (A) the number of cases in which the court issued  
3 a temporary restraining order under Section 262.1015, Family Code,  
4 or any other order requiring the removal of an alleged perpetrator  
5 from the residence of a child; and

6 (B) the number of cases in which the court did not  
7 issue a temporary restraining order under Section 262.1015, Family  
8 Code, or any other order requiring the removal of an alleged  
9 perpetrator from the residence of a child;

10 (16) the number of cases in which the department  
11 filed, at the full adversary hearing under Section 262.201, Family  
12 Code:

13 (A) a copy of each proposed child placement  
14 resources form completed by the parent or other person having legal  
15 custody of the child;

16 (B) a copy of any completed home study performed  
17 under Section 262.114, Family Code; and

18 (C) the name of the relative or other designated  
19 caregiver, if any, with whom the child has been placed;

20 (17) for suits in which a full adversary hearing is  
21 held under Section 262.201, Family Code, the number of cases in  
22 which a child was placed:

23 (A) with a person related to the child by blood,  
24 marriage, or adoption;

25 (B) with a person with whom the child has a  
26 long-standing and significant relationship;

27 (C) in a foster home;

1                   (D) in a general residential operation; or

2                   (E) in another placement;

3                   (18) for cases in which a court ordered the placement  
4 of a child with a caregiver other than the child's parent, the  
5 number of placements the court did not complete and the number the  
6 court completed in the following time frames:

7                   (A) before the end of the fifth day after the date  
8 the court rendered the order;

9                   (B) after the fifth day but before the end of the  
10 15th day after the date the court rendered the order;

11                   (C) after the 15th day but before the end of the  
12 60th day after the date the court rendered the order; or

13                   (D) after the 60th day after the date the court  
14 rendered the order; and

15                   (19) the number of cases in which the department  
16 entered into a parental child safety placement agreement with a  
17 parent or other person with whom the child resides under Section  
18 264.902, Family Code, and, of those cases:

19                   (A) the number of children placed with a parental  
20 child safety placement caregiver who is:

21                                   (i) a relative;

22                                   (ii) a close friend; or

23                                   (iii) someone other than an individual  
24 listed in Subparagraph (i) or (ii);

25                   (B) the number of cases in which the parental  
26 child safety placement agreement was terminated:

27                                   (i) before the end of the 60th day after the

1 date the department entered into the agreement; and  
2 (ii) after the 60th day after the date the  
3 department entered into the agreement; and  
4 (C) after the agreement terminated, the number of  
5 children that:  
6 (i) were returned to a parent;  
7 (ii) entered foster care under a court  
8 order;  
9 (iii) were placed with a relative caregiver  
10 under a court order;  
11 (iv) were placed with a designated  
12 caregiver under a court order;  
13 (v) were placed with a person other than a  
14 person described by Subparagraphs (i) through (iv) under a court  
15 order; and  
16 (vi) were placed with a person without a  
17 court order.

18 SECTION 2. This Act takes effect September 1, 2023.