

By: Gervin-Hawkins

H.B. No. 534

A BILL TO BE ENTITLED

AN ACT

relating to an external audit of investigations conducted by the Department of Family and Protective Services.

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

SECTION 1. Subchapter D, Chapter 261, Family Code, is amended by adding Section 261.3092 to read as follows:

Sec. 261.3092. EXTERNAL AUDIT OF DEPARTMENT INVESTIGATIONS. (a) If the number of complaints filed relating to abuse or neglect investigations conducted by the department annually is equal to 15 percent or more of the total number of investigations conducted by the department during that year, the department shall select an external auditor to conduct an audit of the department's investigative procedures. The external auditor shall be independent and not subject to direction from the department.

(b) An audit under Subsection (a) must:

(1) determine the number of reports of abuse or neglect the department received during four randomly selected months during the one-year period immediately preceding the audit, and the number of reports of abuse or neglect for which the department conducted an investigation;

(2) determine, if the department did not conduct an investigation in response to a report of abuse or neglect, the reason the department did not conduct an investigation in response

1 to the report;

2 (3) assess any deficiencies in the department's  
3 response to reports of abuse or neglect, including failure to  
4 conduct an investigation when an investigation was warranted;

5 (4) assess the department's compliance with procedures  
6 relating to the reporting and investigation of reports of abuse or  
7 neglect;

8 (5) make recommendations regarding any necessary  
9 revisions to the department's procedures relating to the reporting  
10 and investigation of reports of abuse or neglect, including  
11 revisions necessary to correct deficiencies in the department's  
12 response to reports of abuse or neglect; and

13 (6) make recommendations regarding any other changes  
14 to be implemented by the department, including workforce or  
15 organizational improvements or additional training.

16 (c) The department shall pay the costs associated with an  
17 audit under this section using existing resources.

18 (d) The auditor shall submit an audit report containing the  
19 information under Subsection (b) to the department, the  
20 legislature, and the governor.

21 (e) The department shall develop a plan to address all  
22 concerns and implement all recommendations from the audit not later  
23 than the 90th day after receiving the audit report under Subsection  
24 (d).

25 (f) If the audit report under Subsection (d) indicates that  
26 any individual department employee has received complaints in 30  
27 percent or more of the audited investigations the employee has

1 conducted, the department shall conduct an employment review to  
2 investigate the validity of the complaints.

3 (g) If the legislature or the governor determines the  
4 department has failed to address the concerns and implement the  
5 recommendations of the audit report under Subsection (d) before the  
6 end of the 15th working day after the date the department develops  
7 the plan under Subsection (e), the department shall engage the same  
8 auditor to conduct an additional audit under this section not later  
9 than the 30th day after the date the legislature or the governor  
10 makes the determination, unless the auditor is unable to perform  
11 the audit, in which case the department shall select another  
12 external auditor to conduct the audit.

13 SECTION 2. This Act takes effect September 1, 2025.