

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 3, 2007

TO: Honorable Patrick M. Rose, Chair, House Committee on Human Services

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3756 by Naishtat (Relating to the management of child protective services caseworkers.),
As Introduced

Estimated Two-year Net Impact to General Revenue Related Funds for HB3756, As Introduced: a negative impact of (\$173,782,068) through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$58,244,360)
2009	(\$115,537,708)
2010	(\$124,648,924)
2011	(\$124,648,924)
2012	(\$124,648,924)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE FUND 1</i>	Probable (Cost) from <i>GR MATCH FOR MEDICAID 758</i>	Probable (Cost) from <i>FEDERAL FUNDS 555</i>	Change in Number of State Employees from FY 2007
2008	(\$56,120,983)	(\$2,123,377)	(\$10,520,380)	954.0
2009	(\$111,379,662)	(\$4,158,046)	(\$20,922,439)	2,295.0
2010	(\$120,194,163)	(\$4,454,761)	(\$22,605,910)	2,604.0
2011	(\$120,194,163)	(\$4,454,761)	(\$22,605,910)	2,604.0
2012	(\$120,194,163)	(\$4,454,761)	(\$22,605,910)	2,604.0

Fiscal Analysis

The bill requires the Department of Family and Protective Services (DFPS) to ensure that average caseloads per worker in the child protective services division do not exceed 24 for case management and investigative caseworkers providing services through conservatorship programs and 80 percent of the average caseload in existence on January 1, 2007 for case management caseworkers providing services through foster and adoption programs and family-based safety services programs.

The bill also prohibits DFPS from employing caseworkers that do not hold a bachelor's degree or advanced degree in social work, counseling, early childhood education, psychology, criminal justice, or elementary or secondary education unless the person has other exceptional education or experience that DFPS determines qualifies the person to perform the functions of a caseworker; these

requirements would only apply to a caseworker hired on or after the effective date of the bill. The bill requires DFPS to increase and maintain the salary for case management and investigative caseworkers and supervisors in the child protective services division providing services through conservatorship programs, foster and adoption programs, and family-based safety services programs so that the salary for each employee exceeds 200 percent of the federal poverty level (FPL).

Methodology

DFPS assumes all required caseload per worker targets will be achieved by July 2009 due to a need to phase in caseworkers. DFPS utilized Health and Human Services Commission caseload forecasts in their analysis. Estimated fiscal year 2009 caseworkers are assumed to be maintained in fiscal years 2010 through 2012.

Supporting Staff: DFPS assumes that for every five caseworkers added, one supervisor will be needed; for each supervisor added, one administrative assistant and one human services technician will be needed; for every eight supervisors added, one program director will be needed; and for every eight program directors added, one program administrator will be needed. The end result is that for each caseworker added, a total of approximately 1.6 FTEs will be added.

Conservatorship Case Management Workers: DFPS estimates a caseload per worker of 45.1 in August 2007. DFPS estimates a need for 1,386 additional caseworkers to achieve a caseload per worker of 24. The phase in of caseworkers would result in 939 added during fiscal year 2008 with the remaining 447 added during fiscal year 2009. Including supporting staff 1,530 employees would be added during fiscal year 2008 and an additional 726 during fiscal year 2009.

Investigative Workers: DFPS estimates a caseload per worker of 22.0 in August 2007. Staff allocated for fiscal year 2007 are still being hired. DFPS estimates that when all these staff are hired they will be sufficient to maintain a caseload per worker below 24. No additional staff are needed.

Foster and Adoptive Workers: DFPS estimates a caseload per worker of 30.7 in January 2007; the 80 percent reduction required by the bill would result in a target of 24.6. Foster and Adoptive caseworkers are currently handling overflow conservatorship cases. DFPS assumes these cases will be transferred back to conservatorship workers, resulting in a caseload per worker of 22.2. No additional staff are needed.

Family-Based Safety Services Workers: DFPS estimates a caseload per worker of 21.5 in January 2007; the 80 percent reduction required by the bill would result in a target of 17.2. DFPS estimates a need for 212 additional caseworkers to achieve this target. The phase in of caseworkers would result in 144 added during fiscal year 2008 with the remaining 68 added during fiscal year 2009. Including supporting staff 236 employees would be added during fiscal year 2008 and an additional 112 during fiscal year 2009.

Degree Requirements: DFPS estimates no significant fiscal impact from this requirement as the department is still authorized to hire any person they determine to be qualified.

Salary: FPL is based on both income and family size. The bill does not specify the family size for which 200 percent FPL is to be maintained. DFPS requests new caseworkers at a salary group of B6; the minimum salary for a B6 employee is \$29,602 (some caseworkers are in higher salary groups). This salary exceeds projected 200 percent FPL for either a family of one or two in fiscal years 2008 and 2009. No additional funding would be required. If salaries were required to meet 200 percent FPL for a larger family size, additional funding may be required.

Total Cost: DFPS estimates a total cost for an annual average of 954.0 additional FTEs in fiscal year 2008 of \$68.8 million All Funds, including \$58.2 million in General Revenue Funds. For fiscal year 2009, an annual average of 2,295.0 additional FTEs is estimated at a cost of \$136.5 million All Funds, including \$115.5 million in General Revenue Funds. Fully phased in 2,604.0 FTEs would be needed in fiscal years 2010 through 2012 at an estimated cost of \$147.3 million All Funds, including \$124.6 million in General Revenue Funds, each fiscal year. If available, Temporary Assistance for Needy Families (TANF) Federal Funds could be used in lieu of some General Revenue Funds estimated to be

\$40.7 million in fiscal year 2008, \$82.1 million in fiscal year 2009, and \$89.0 million in fiscal years 2010 through 2012.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family and Protective Services, Department of

LBB Staff: JOB, CL, PP, LR