

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 21, 2007

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

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

IN RE: SB1941 by Deuell (Relating to the regulation of foster care providers.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1941, As Introduced: a negative impact of (\$5,019,478) 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	(\$2,875,923)
2009	(\$2,143,555)
2010	(\$2,143,555)
2011	(\$2,143,555)
2012	(\$2,143,555)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE FUND</i> 1	Probable (Cost) from <i>GR MATCH FOR MEDICAID</i> 758	Probable (Cost) from <i>FEDERAL FUNDS</i> 555	Probable (Cost) from <i>STATE HIGHWAY FUND</i> 6
2008	(\$2,844,527)	(\$31,396)	(\$867,855)	(\$73,000)
2009	(\$2,139,035)	(\$4,520)	(\$717,050)	(\$3,000)
2010	(\$2,139,035)	(\$4,520)	(\$717,050)	(\$3,000)
2011	(\$2,139,035)	(\$4,520)	(\$717,050)	(\$3,000)
2012	(\$2,139,035)	(\$4,520)	(\$717,050)	(\$3,000)

Fiscal Analysis

Section 1 of the bill amends the Code of Criminal Procedures to entitle the Department of Family and Protective Services (DFPS) to access family violence reports relating to an applicant for a foster home license.

Section 2 of the bill amends the Human Resources Code to require that DFPS maintain a database of licensed foster homes and makes this database available to the Department of Public Safety (DPS). DPS is required to inform a peace officer or law enforcement agency, when providing an address to DPS, whether the address is a licensed foster home and whether a foster child is residing there. The bill requires that this database be established by September 1, 2008.

Section 3 of the bill requires DFPS, before issuing a license or registration for a foster home, to

contact the law enforcement agency for each city and county in which the applicant resided for the 10 years preceding the date of the application to determine if the law enforcement agency responded to any domestic violence reports at the applicant's residence. For renewal of a license, all addresses since the previous renewal would have to be checked.

The bill would take effect on September 1, 2007.

Methodology

DFPS conducted checks on 19,389 foster parent applicants in fiscal year 2006. Calculations assume this same number per fiscal year for the local domestic violence checks on new applicants required by the bill. Calculations also assume two checks per individual (city and county) and that approximately one-third of the applicants will have moved twice in the previous ten years, thus requiring an additional four checks. For renewals, calculations assume an additional check every two years when the DPS and DFPS Central Registry Check is conducted, since a renewal process does not currently exist. Also assumed in the calculations is an estimated average cost per local check of \$2, due to a nominal fee charged by some counties. The total cost of the bill is estimated to be \$3,816,778 in All Funds in fiscal year 2008 and \$2,863,605 in All Funds in fiscal year 2009 and each year thereafter.

DFPS estimates that a total of 52.0 additional FTEs would be required to implement the bill. FTE costs are estimated to be \$1,768,173, including \$500,216 in associated employee benefits, in fiscal year 2008 and each year thereafter. Other related expenses (professional services, travel, equipment, and other operating expense) are estimated to be \$1,475,389 in fiscal year 2008 and \$592,216 in fiscal year 2009 and each year thereafter.

DPS estimates a total cost of \$73,000 in fiscal year 2008 and \$3,000 in fiscal year 2009 and each year thereafter for professional services, equipment and other operating expense.

Technology

DFPS estimates that implementing the bill would have a Technology Impact of \$568,468 in fiscal year 2008 for programming and initial IT setup and \$30,368 in fiscal year 2009 and each year thereafter for network support.

DPS estimates that implementing the bill would have a Technology Impact of \$70,000 in fiscal year 2008 for programming and equipment.

These amounts are included in the total for other expenses in the Methodology section above.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 530 Family and Protective Services, Department of
LBB Staff: JOB, CL, PP, VJC, KJG