

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 29, 2009**

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

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

**IN RE: HB948** by Dutton (Relating to investigations and other procedures with respect to allegations of child abuse and neglect.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB948, As Introduced: a negative impact of (\$10,433,824) through the biennium ending August 31, 2011.

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
2010	(\$5,932,027)
2011	(\$4,501,797)
2012	(\$4,504,869)
2013	(\$4,560,228)
2014	(\$4,606,711)

**All Funds, Five-Year Impact:**

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE</i> <i>FUND</i> <b>1</b>	Probable (Cost) from <i>GR MATCH FOR</i> <i>MEDICAID</i> <b>758</b>	Probable (Cost) from <i>FEDERAL FUNDS</i> <b>555</b>	Change in Number of State Employees from <b>FY 2007</b>
2010	(\$5,894,296)	(\$37,731)	(\$858,236)	66.0
2011	(\$4,478,576)	(\$23,221)	(\$672,279)	71.0
2012	(\$4,482,008)	(\$22,861)	(\$664,207)	71.0
2013	(\$4,537,232)	(\$22,996)	(\$669,044)	71.0
2014	(\$4,583,567)	(\$23,144)	(\$674,365)	71.0

**Fiscal Analysis**

Section 3 of the bill would require that the Department of Family and Protective Services (DFPS) record and maintain all interviews and documents pertaining to an investigation.

Section 5 of the bill would require that a person who challenges the findings of an investigation be allowed to question the investigative workers and immediate supervisors responsible for the findings at an administrative review.

Section 6 of the bill would require that DFPS maintain audio recordings of intakes for a specified time.

Section 8 of the bill requires that DFPS include each person over 18 years of age in an immediate background and criminal history check of a designated caregiver's household. This section would also require that DFPS provide scheduled visitation periods for nursing mothers to continue breast-feeding the child who has been removed from the home.

### **Methodology**

DFPS based estimates of the cost the bill on 165,010 complete investigations in fiscal year 2008. DFPS estimates that Section 3 would require 41,253 staff hours assuming 3 interviews per investigation and 5 minutes to burn an interview to compact disk (CD). DFPS estimates 20 full-time equivalent positions (FTE) would be necessary for this provision. DFPS estimates that 330,020 additional CDs would be required at \$20 per pack of 25, as well as related materials for storage of external records.

DFPS estimates that one tenth or 40 of the approximately 400 administrative reviews of investigation findings conducted per year would be impacted by Section 5. DFPS assumes the provision would result in additional staff hours and related travel but would not result in a need for additional FTEs.

DFPS estimates that caseworkers would make 8,102 additional calls for immediate background checks, based on 6,764 cases in which children were removed in fiscal year 2008, assuming that 80 percent of parents would complete a child placement resources form listing 2 families with 2 members age 18 or older. This would result in a need to perform background checks on 21,644 persons, and 16,233 or three quarters of those persons would need to have expedited checks by specialized staff. DFPS estimates that 18 FTEs would be necessary for this provision, including caseworker and intake staff.

DFPS estimates that 31 children would need breastfeeding services, assuming that 1,501 children removed from their homes in fiscal year 2008 were under the age of 1 year old, that 750 of them would not test positive for drugs and/or alcohol, that 157 or 21 percent of them would have mothers that would choose to breastfeed, and that 20 percent of those would request to continue to do so. DFPS estimates that 10 human services FTEs would be necessary for this provision, assuming 5 visits per 24 hours at 1.5 hours each.

DFPS estimates that a total of 66 FTEs would be necessary in fiscal year 2010 and 71 FTEs would be necessary in fiscal year 2011 and each subsequent year, including related support staff that are in addition to the FTEs described above.

The total cost of the bill would be \$12.0 million in All Funds, including \$10.4 million in General Revenue related funds, in the 2010-11 biennium.

### **Technology**

The bill would have a technology cost of \$1.1 million in fiscal year 2010 and \$63,395 in each subsequent year, including one time costs for system modification and ongoing costs associated with storage and backup.

### **Local Government Impact**

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

**Source Agencies:** 530 Family and Protective Services, Department of

**LBB Staff:** JOB, CL, JJ, MB, NM, TP