

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 29, 2011

TO: Honorable Richard Pena Raymond, Chair, House Committee on Human Services

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

IN RE: HB3234 by Hernandez Luna (Relating to the preparation of case records of children discharged from foster care.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3234, As Introduced: a negative impact of (\$5,527,260) through the biennium ending August 31, 2013.

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
2012	(\$2,919,451)
2013	(\$2,607,809)
2014	(\$2,614,345)
2015	(\$2,620,990)
2016	(\$2,627,858)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/ (Cost) from <i>General Revenue Fund</i> 1	Probable Savings/ (Cost) from <i>GR Match For Medicaid</i> 758	Probable Savings/ (Cost) from <i>Federal Funds</i> 555	Change in Number of State Employees from FY 2011
2012	(\$2,888,898)	(\$30,553)	(\$401,503)	63.0
2013	(\$2,580,518)	(\$27,291)	(\$358,644)	63.0
2014	(\$2,586,985)	(\$27,360)	(\$359,543)	63.0
2015	(\$2,593,561)	(\$27,429)	(\$360,457)	63.0
2016	(\$2,600,357)	(\$27,501)	(\$361,401)	63.0

Fiscal Analysis

The bill would require the Department of Family and Protective Services (DFPS), not later than 30 days before a child is discharged from foster care, to assemble and prepare the child's case record for release. DFPS is also required to redact any information from the case record that is confidential and may not be provided to the child under statute or department rule.

The bill would take effective September 1, 2011.

Methodology

DFPS indicated that the average number of children leaving foster care for fiscal years 2009-2010 was 14,340, and that the average number of adoption consummations for the two periods was 2,102. In order to determine the number of case records that will require preparation, redaction, and delivery to the child, DFPS subtracted case records for the children being adopted because those case records are already redacted and provided to adoptive children, for a total 12,238 new case records needing to be redacted.

The average child protective services (CPS) case record that is redacted is estimated by DFPS to contain 1,126 pages for a total of 13,779,988 (12,238 X 1,126) new pages to be redacted per fiscal year. The agency indicated that an average of 125 pages can be read and redacted per hour, which means that 110,240 (13,779,988 divided by 125) new hours of work will be required. Based on DFPS time data showing that a redactor has 2,080 hours of available work time in a fiscal year, 53 (110,240 divided by 2080) additional redactor FTEs, 5 administrative assistant FTEs to manage the new caseload, and 5 administrative support FTEs are estimated to be needed for the provisions of the bill. The total FTE cost would be \$2,949,845 in fiscal year 2012, \$2,614,244 in fiscal year 2013, \$2,621,678 in fiscal year 2014, \$2,629,238 in fiscal year 2015, and \$2,637,050 in fiscal year 2016. These costs include salaries, benefits, and other operating costs.

DFPS also indicated that each new redactor and supervisor will require redactor software at a cost of \$300 each for a total cost of \$18,900 for the first fiscal year. It was also assumed that each case record would contain audio and visual recordings, and that the cost to redact the audio and visual recordings would be \$305,950 per fiscal year. The cost associated with placing the redacted case records on CD ROMS and mailing them out is assumed to be \$46,260 per fiscal year.

The total cost would be \$3,320,955 for fiscal year 2012, \$2,966,454 for fiscal year 2013, \$2,973,888 for fiscal year 2014, \$2,981,448 for fiscal year 2015, and \$2,989,260 for fiscal year 2016.

Technology

It is estimated that there would be technology costs of \$18,900 in fiscal year 2012 for acquiring the redactor software.

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, MB, SJ, VJC, NM