

BILL ANALYSIS

C.S.S.B. 1758
By: Uresti
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Observers note that the Department of Family and Protective Services (DFPS) continues to experience high turnover rates among child protective services caseworkers. Several studies, including a recent legislative interim report, have shown a myriad of factors contributing to high caseworker turnover, including unmanageable workloads and caseloads, lack of supportive supervision, high stress levels, long hours, low unit cohesion and morale, and a lower quality of assistance. C.S.S.B. 1758 seeks to address this issue by creating a task force to examine the hiring and management practices of DFPS in an effort to develop strategies that will identify issues that have led to high turnover and develop strategies and methods to reduce turnover and improve outcomes for children.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 1758 amends the Government Code to establish the Task Force to Examine Hiring and Management Practices to Improve Hiring and Retention of Child Protective Services Caseworkers and Improve Child Welfare to examine hiring and management practices, to develop policy recommendations, if needed, and to design a comprehensive performance-based compensation and recognition system with the goal of increasing retention and reducing turnover of caseworkers in the child protective services division of the Department of Family and Protective Services (DFPS). The bill establishes the composition of the task force, comprising certain members appointed jointly by the chair of the Senate Health and Human Services Committee and the chair of the House Human Services Committee, a member appointed by the executive commissioner of the Health and Human Services Commission (HHSC), and any other person the two senate and house committee chairs jointly determine to be appropriate.

C.S.S.B. 1758 authorizes the persons appointing a member of the task force to designate the member as a nonvoting member and requires those persons to appoint the members of the task force as soon as practicable after the bill's effective date. The bill requires a vacancy on the task force to be filled in the same manner as the original appointment. The bill requires the member appointed by the executive commissioner of HHSC to serve as the presiding officer of the task force, requires the task force to meet at the call of the presiding officer, and specifies that task force members are not entitled to compensation or reimbursement for expenses.

C.S.S.B. 1758 requires the task force to receive reports and testimony from individuals, state and local agencies, community-based organizations, and other public and private organizations; to examine hiring and management practices that reduce turnover and improve outcomes for children, including performance-based compensation and recognition, increasing the percentage

of hiring specialists with prior division experience, improving the caseworker screening process, improving caseworker assignments to best fit employee skills, involving unit supervisors in the hiring and academy training process, implementing a statewide mentorship program, and developing a process for making caseworker unit assignments by geographic region; and to develop any necessary policy recommendations. The bill requires the task force to prepare a report that includes a description of task force activities; task force findings and recommendations, including any proposed policy recommendations; and any proposals for legislation or other matters the task force considers appropriate. The bill requires the task force, not later than September 1, 2014, to submit the report to the governor, the lieutenant governor, the speaker of the house of representatives, and the appropriate senate and house committees.

C.S.S.B. 1758 requires HHSC to provide reasonably necessary administrative and technical support for task force activities and requires DFPS to seek the assistance of the task force if DFPS proposes to adopt or amend a rule as the result of a task force recommendation. The bill exempts the task force from statutory provisions relating to state agency advisory committees and establishes that the task force is abolished and provisions relating to the task force expire on September 1, 2015.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.S.B. 1758 may differ from the engrossed version in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Chapter 531, Government Code, is amended by adding Subchapter X to read as follows:

SUBCHAPTER X. TASK FORCE TO EXAMINE CHILD PROTECTIVE SERVICES HIRING AND MANAGEMENT PRACTICES

Sec. 531.971. DEFINITIONS

Sec. 531.972. ESTABLISHMENT OF TASK FORCE; COMPOSITION.

(a) The task force is established to examine hiring and management practices, to develop policy recommendations, if needed, and to design a comprehensive performance-based compensation and recognition system with the goal of increasing retention and reducing turnover of division caseworkers.

(b) The task force is composed of:

(1) the following members appointed jointly by the chair of the Senate Health and

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(b) The task force is composed of:

(1) the following members appointed jointly by the chair of the Senate Health and

Human Services Committee and the chair of the House Human Services Committee:
(A) one member from the department administration;
(B) one former division caseworker;
(C) three members from the department, each of whom is at a different stage of service in the division as follows:
(i) one current division caseworker;
(ii) one current division supervisor; and
(iii) one current division program director;
(D) two chief executive officers of corporations that use performance-based compensation in their organization;
(E) one consultant for a nonprofit organization that specializes in human resources and recruitment and retention initiatives;
(F) two human resources directors for for-profit entities who are familiar with performance-based compensation and the recruitment and retention of employees; and
(G) one member from a statewide advocacy organization that advocates in the field of child protective services;
(2) one member from the human resources department of the commission appointed by the executive commissioner of the Health and Human Services Commission; and
(3) any other person the chair of the Senate Health and Human Services Committee and the chair of the House Human Services Committee jointly determine to be appropriate.

Sec. 531.973. VACANCY.

Sec. 531.974. PRESIDING OFFICER.

Sec. 531.975. MEETINGS.

Sec. 531.976. COMPENSATION; REIMBURSEMENT.

Sec. 531.977. DUTIES.

(a) The task force shall:
(1) receive reports and testimony from individuals, state and local agencies, community-based organizations, and other public and private organizations;
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(c) The persons appointing a member of the task force may designate the member as a nonvoting member.

outcomes for children, including performance-based compensation and recognition, increasing the percentage of hiring specialists with prior division experience, improving caseworker screening processes, improving caseworker assignments to best fit employee skills, involving unit supervisors in the hiring and academy training processes, implementing a statewide mentorship program, and developing caseworker unit assignment process to particular geographic regions; and

(3) develop any necessary policy recommendations.

(b) The task force shall prepare a report that includes:

(1) a description of the activities of the task force;

(2) the findings and recommendations of the task force, including any proposed policy recommendations; and

(3) any proposals for legislation or other matters the task force considers appropriate.

(c) Not later than September 1, 2014, the task force shall submit the report required by Subsection (b) to the governor, the lieutenant governor, the speaker of the house of representatives, and the appropriate committees of the senate and the house of representatives.

Sec. 531.978. ADMINISTRATIVE SUPPORT.

Sec. 531.979. RULEMAKING ASSISTANCE.

Sec. 531.980. APPLICABILITY OF ADVISORY COMMITTEE LAW.

Sec. 531.981. EXPIRATION.

SECTION 2. As soon as practicable after the effective date of this Act, the appropriate persons shall appoint the members of the task force created by Subchapter X, Chapter 531, Government Code, as added by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article

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SECTION 2. Same as engrossed version.

SECTION 3. Same as engrossed version.

III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.