

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 24, 2013**

**TO:** Honorable Royce West, Chair, Senate Committee on Jurisprudence

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB352 by West (Relating to visitation for certain children in the temporary managing conservatorship of the Department of Family and Protective Services.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB352, Committee Report 1st House, Substituted: a negative impact of (\$23,681,182) through the biennium ending August 31, 2015.

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
2014	(\$11,194,342)
2015	(\$12,486,840)
2016	(\$12,486,698)
2017	(\$12,486,698)
2018	(\$12,486,698)

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

Fiscal Year	Probable (Cost) from General Revenue Fund 1	Probable (Cost) from GR Match For Medicaid 758	Probable (Cost) from Federal Funds 555	Change in Number of State Employees from FY 2013
2014	(\$11,099,152)	(\$95,190)	(\$1,600,242)	210.3
2015	(\$12,384,546)	(\$102,294)	(\$1,744,632)	239.1
2016	(\$12,384,493)	(\$102,205)	(\$1,744,773)	239.1
2017	(\$12,384,493)	(\$102,205)	(\$1,744,773)	239.1
2018	(\$12,384,493)	(\$102,205)	(\$1,744,773)	239.1

## **Fiscal Analysis**

The bill would amend Chapters 262 and 263 of the Family Code, relating to a visitation plan for certain children in the temporary managing conservatorship of the Department of Family and Protective Services (DFPS).

The bill would require DFPS to ensure that a parent of a child taken into conservatorship has an opportunity to visit the child within three days after DFPS is named temporary managing conservator of the child. Exemptions are identified. Before an initial hearing, under the provisions of the bill, DFPS in collaboration with each parent of the child must develop a temporary visitation schedule that allows the most visits between the child and each parent. The bill would also require court review of the proposed DFPS visitation plan and modification of the plan as needed.

## **Methodology**

Under the provisions of the bill, DFPS in collaboration with each parent of the child must develop a temporary visitation schedule that allows the most visits between the child and each parent of the child, while considering certain factors. The number of visits between the child and each parent of the child could vary, so this cost estimate assumes one additional visit per month. However, depending on the number of visits arranged by DFPS, the cost associated with the provisions of the bill could be higher or lower.

For fiscal year 2012, an average monthly number of 4,952 families received reunification services. Assuming one additional visit per month for all families receiving family reunification services and that each visit requires four hours of staff time, and that a typical caseworker has 130.8 hours to devote to casework each month, it is estimated that an additional 151.4 new caseworkers would be needed, phased in over the first six months of fiscal year 2014, to implement the provisions of the bill. An additional 83.2 FTEs would also be needed to support the caseworkers and 4.5 FTEs for enterprise support services at the Health and Human Services Commission. Total costs would be \$12.8 million in All Funds in fiscal year 2014 and \$14.2 million in All Funds for each fiscal year going forward. This includes the cost of a new car seat for caseworkers, at a cost of \$175 each, totaling \$21,466 in fiscal year 2014.

The Office of Court Administration indicates the provisions of the bill could be implemented within existing resources.

## **Technology**

Included above are technology costs of \$177,244 in fiscal year 2014 and \$218,766 each fiscal year thereafter for computer devices and software for the additional FTEs.

## **Local Government Impact**

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

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 530 Family and Protective Services, Department of

**LBB Staff:** UP, SJ, CL, MB, VJC, NB