

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Dukes

H.B. No. 1227

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the use of an Internet application to allow access by  
3 court-appointed volunteer advocates to child protective services  
4 case information.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter G, Chapter 264, Family Code, is  
7 amended by adding Section 264.614 to read as follows:

8 Sec. 264.614. INTERNET APPLICATION FOR CASE TRACKING AND  
9 INFORMATION MANAGEMENT SYSTEM. (a) Subject to the availability of  
10 money as described by Subsection (c), the department shall develop  
11 an Internet application that allows a court-appointed volunteer  
12 advocate representing a child in the managing conservatorship of  
13 the department to access the child's case file through the  
14 department's automated case tracking and information management  
15 system and to add the volunteer advocate's findings and reports to  
16 the child's case file.

17 (b) The court-appointed volunteer advocate shall maintain  
18 the confidentiality required by this chapter and department rule  
19 for the information accessed by the advocate through the system  
20 described by Subsection (a).

21 (c) The department may not use money other than money  
22 received as a gift, grant, or donation to pay for the costs of  
23 developing and maintaining the Internet application required by  
24 Subsection (a). The department may solicit and accept gifts,

1 grants, and donations of any kind and from any source for purposes  
2 of this section.

3 (d) The executive commissioner of the Health and Human  
4 Services Commission shall adopt rules necessary to implement this  
5 section.

6 SECTION 2. (a) As soon as practicable after the effective  
7 date of this Act, the Department of Family and Protective Services  
8 shall solicit money and develop the Internet application as  
9 required by Section 264.614, Family Code, as added by this Act.

10 (b) As soon as practicable after the effective date of this  
11 Act, the executive commissioner of the Health and Human Services  
12 Commission shall adopt rules necessary to implement Section  
13 264.614, Family Code, as added by this Act.

14 SECTION 3. This Act takes effect September 1, 2013.

**ADOPTED**

MAY 17 2013

*Atty. Gen.*  
Secretary of the Senate

By: DUKES/WILLIAMS

A.B. No. 1227

Substitute the following for H.B. No. 1227:

By: Dewell

C.S. H.B. No. 1227

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13 the department to access the child's case file through the  
14 department's automated case tracking and information management  
15 system and to add the volunteer advocate's findings and reports to  
16 the child's case file.

17 (b) The court-appointed volunteer advocate shall maintain  
18 the confidentiality required by this chapter and department rule  
19 for the information accessed by the advocate through the system  
20 described by Subsection (a).

21 (c) The department may use money appropriated to the  
22 department and money received as a gift, grant, or donation to pay  
23 for the costs of developing and maintaining the Internet  
24 application required by Subsection (a). The department may solicit

1 and accept gifts, grants, and donations of any kind and from any  
2 source for purposes of this section.

3 (d) The executive commissioner of the Health and Human  
4 Services Commission shall adopt rules necessary to implement this  
5 section.

6 SECTION 2. (a) As soon as practicable after the effective  
7 date of this Act, the Department of Family and Protective Services  
8 shall solicit money, if necessary, and develop the Internet  
9 application as required by Section 264.614, Family Code, as added  
10 by this Act.

11 (b) As soon as practicable after the effective date of this  
12 Act, the executive commissioner of the Health and Human Services  
13 Commission shall adopt rules necessary to implement Section  
14 264.614, Family Code, as added by this Act.

15 SECTION 3. This Act takes effect September 1, 2013.

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

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

**May 17, 2013**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

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

**IN RE: HB1227** by Dukes (Relating to the use of an Internet application to allow access by court-appointed volunteer advocates to child protective services case information.), **As Passed 2nd House**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1227, As Passed 2nd House: a negative impact of (\$6,171,852) 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	(\$3,243,707)
2015	(\$2,928,145)
2016	(\$1,318,664)
2017	(\$1,318,664)
2018	(\$1,318,664)

**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
2014	(\$3,198,089)	(\$45,618)	(\$382,321)
2015	(\$2,887,031)	(\$41,114)	(\$336,985)
2016	(\$1,302,361)	(\$16,303)	(\$142,997)
2017	(\$1,302,361)	(\$16,303)	(\$142,997)
2018	(\$1,302,361)	(\$16,303)	(\$142,997)

Fiscal Year	Change in Number of State Employees from FY 2013
2014	15.0
2015	15.0
2016	15.0
2017	15.0
2018	15.0

### **Fiscal Analysis**

The bill would amend the Family Code to require the Department of Family and Protective Services (DFPS) to develop an internet application allowing court-appointed volunteer advocates to access and update case files in DFPS's automated case tracking and information management system.

The executive commissioner of the Health and Human Services Commission is also required to adopt rules necessary to implement the provisions.

### **Methodology**

According to DFPS, in order to allow read and write access to case information in the Information Management Protecting Adults and Children in Texas (IMPACT) system, which is the agency's automated casework system, via an external interface for court appointed volunteer advocates for child protective services, an external facing web-based interface would have to be built, tested, maintained, and enhanced over time. The estimated cost is \$2,315,778 in fiscal year 2014, \$2,100,969 in fiscal year 2015, and \$297,500 in fiscal year 2016 and each fiscal year going forward.

It is also estimated that an additional 9 FTEs would be needed for technical support to the external users, security, reporting, and providing additional functionality due to the increased number of authorized users. An additional 6 centralized background check unit (CBCU) FTEs would be needed to process background checks for each of these new users and for annual renewal checks to comply with DFPS current policy of requiring complete background checks for individuals who are not DFPS employees but who have a business need to have direct contact with DFPS information technology resources or DFPS facilities. The estimated cost for these 15 FTEs is \$1,310,250 in fiscal year 2014 and \$1,164,161 in fiscal year 2015 and each fiscal year going forward.

Total estimated cost in All Funds would be \$3,626,028 in fiscal year 2014, \$3,265,130 in fiscal year 2015, and \$1,461,661 in fiscal year 2016 and each fiscal year going forward. To the extent that the agency receives gifts, grants, or donations as authorized by the bill to support this program, general revenue costs associated with the internet application would be offset.

### **Technology**

The estimated cost for additional devices and software and changes to IMPACT is \$2,332,646 in fiscal year 2014, \$2,117,837 in fiscal year 2015, and \$314,368 in fiscal year 2016 and each fiscal year thereafter. These costs are included above.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 530 Family and Protective Services, Department of  
**LBB Staff:** UP, SD, CL, MB, SJ, VJC

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

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

**May 9, 2013**

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

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

**IN RE:** **HB1227** by Dukes (Relating to the use of an Internet application to allow access by court-appointed volunteer advocates to child protective services case information.), **Committee Report 2nd House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB1227, Committee Report 2nd House, Substituted: a negative impact of (\$6,171,852) 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.

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No fiscal implication to units of local government is anticipated.

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

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

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 23, 2013

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

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

**IN RE: HB1227** by Dukes (Relating to the use of an Internet application to allow access by court-appointed volunteer advocates to child protective services case information.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

The bill would require the Department of Family and Protective Services (DFPS) to develop an internet application allowing court-appointed volunteer advocates to access and update case files in DFPS's automated case tracking and information management system. Although DFPS estimates a cost to implement the provisions of the bill, the bill specifically prohibits DFPS from using money other than gifts, grants, or donations and as such no fiscal impact to the state is anticipated.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

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

**LBB Staff:** UP, CL, VJC, LR

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

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

**March 11, 2013**

**TO:** Honorable Richard Peña Raymond, Chair, House Committee On Human Services

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

**IN RE: HB1227** by Dukes (Relating to the use of an Internet application to allow access by court-appointed volunteer advocates to child protective services case information.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would require the Department of Family and Protective Services (DFPS) to develop an internet application allowing court-appointed volunteer advocates to access and update case files in DFPS's automated case tracking and information management system. Although DFPS estimates a cost to implement the provisions of the bill, the bill specifically prohibits DFPS from using money other than gifts, grants, or donations and as such no fiscal impact to the state is anticipated.

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