

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 21, 2015

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4111 by Naishtat (Relating to the release of certain child fatality and near fatality information for abused or neglected children.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4111, As Introduced: a negative impact of (\$1,956,209) through the biennium ending August 31, 2017.

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
2016	(\$1,904,608)
2017	(\$51,601)
2018	(\$51,601)
2019	(\$51,601)
2020	(\$51,601)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Savings/(Cost) from <i>Federal Funds</i> 555	Change in Number of State Employees from FY 2015
2016	(\$1,904,608)	(\$276,041)	1.0
2017	(\$51,601)	(\$6,115)	1.0
2018	(\$51,601)	(\$6,115)	1.0
2019	(\$51,601)	(\$6,115)	1.0
2020	(\$51,601)	(\$6,115)	1.0

Fiscal Analysis

The bill would amend the Family Code to require the Department of Family and Protective Services (DFPS) to release all investigation information not prohibited from release under federal

law, for child fatalities or near fatalities caused by abuse or neglect. The bill would also require DFPS to compile and publish an annual report on child fatality investigations for which DFPS made a finding regarding abuse or neglect, including cases in which the department determined the fatality was not the result of abuse or neglect. The report must include certain information and protect the identity of individuals involved. The bill would also require DFPS to post the annual report on the department's Internet website and otherwise make the report available to the public.

The executive commissioner of the Health and Human Services Commission (HHSC) is authorized to adopt rules for the annual child fatality report.

The bill would only apply to requests for information related to child fatalities or near fatalities submitted after September 1, 2015. The annual child fatality report must be published on the DFPS website by March 1, 2016.

Methodology

Under the provisions of the bill, cases in which a child sustains a critical injury that reasonably could have resulted in the child's death are added as an additional category of cases in which public reports are produced.

DFPS estimates costs of \$2,115,911 for changes to its Information Management Protecting Adults and Children in Texas (IMPACT) system, which is the agency's automated casework system and CLASS (the agency's child care licensing casework systems) in order to track and report on near-fatal investigations as well as cases where the child's death resulted in a criminal investigation or the filing of criminal charges. DFPS also estimates that approximately 271 cases per year representing 74,525 pages will need to be redacted, requiring 1.0 FTE in each fiscal year. The costs associated with this 1.0 FTE is \$64,738 in fiscal year 2016 and \$57,716 in each fiscal year after. That includes salary, benefits, and other operating costs. The total costs is \$2,180,649 in fiscal year 2016, and \$57,716 in each year after.

The Health and Human Services Commission (HHSC) does not anticipate any significant fiscal impact from implementing the provisions of the bill.

Technology

A total technology cost of \$2,115,911 is anticipated to implement the provisions of the bill.

Local Government Impact

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

Source Agencies: 530 Family and Protective Services, Department of, 529 Health and Human Services Commission

LBB Staff: UP, ESi, SJ, NB, WP