

By: Burkett

H.B. No. 3098

A BILL TO BE ENTITLED

AN ACT

1
2 relating to secondary trauma support, case assignment, and caseload
3 management for child protective services caseworkers.

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

5 SECTION 1. Section 261.301, Family Code, is amended by
6 adding Subsection (j) to read as follows:

7 (j) In geographic areas with demonstrated need, the
8 department shall designate employees to serve specifically as
9 investigators and responders for after-hours reports of child abuse
10 or neglect.

11 SECTION 2. Subchapter B, Chapter 40, Human Resources Code,
12 is amended by adding Section 40.038 to read as follows:

13 Sec. 40.038. SECONDARY TRAUMA SUPPORT FOR CASEWORKERS. (a)
14 In this section, "secondary trauma" means trauma incurred as a
15 consequence of a person's exposure to acute or chronic trauma.

16 (b) The department shall develop and make available a
17 program to provide ongoing support to caseworkers who experience
18 secondary trauma resulting from exposure to trauma in the course of
19 the caseworker's employment. The program must include critical
20 incident stress debriefing. The department may not require that a
21 caseworker participate in the program.

22 SECTION 3. Subchapter C, Chapter 40, Human Resources Code,
23 is amended by adding Section 40.0529 to read as follows:

24 Sec. 40.0529. CASELOAD MANAGEMENT. (a) Subject to a

1 specific appropriation for that purpose, the department shall
2 develop and implement a caseload management system for child
3 protective services caseworkers and managers that:

4 (1) ensures equity in the distribution of workload,
5 based on the complexity of each case;

6 (2) calculates caseloads based on the number of
7 individual caseworkers who are available to handle cases;

8 (3) includes geographic case assignment in areas with
9 concentrated high risk populations, to ensure that an adequate
10 number of caseworkers and managers with expertise and specialized
11 training are available;

12 (4) includes a plan to deploy master investigators in
13 anticipation of emergency shortages of personnel; and

14 (5) anticipates vacancies in caseworker positions in
15 areas of the state with high caseworker turnover to ensure the
16 timely hiring of new caseworkers in those areas.

17 (b) In calculating the caseworker caseload under Subsection
18 (a)(2), the department:

19 (1) may not count caseworkers who are on leave for four
20 weeks or more as available caseworkers;

21 (2) may not create fictive caseworkers to compensate
22 for overtime hours worked by caseworkers; and

23 (3) shall only count caseworkers who are on reduced
24 caseloads at a value of 0.3 or less.

25 SECTION 4. This Act takes effect September 1, 2017.