

By: Wu

H.B. No. 1362

A BILL TO BE ENTITLED

AN ACT

relating to the caseloads of child protective services caseworkers.

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

SECTION 1. Subchapter C, Chapter 40, Human Resources Code, is amended by adding Section 40.05291 to read as follows:

Sec. 40.05291. CASEWORKER CASELOAD SCORING SYSTEM AND REPORT. (a) The department shall develop a scoring system to ensure equity in the distribution of cases among child protective services caseworkers. The scoring system must evaluate each child protective services case on:

(1) the total number of children involved in the case;

(2) the total number of parents involved in the case;

(3) the type of placement for each child involved in the case;

(4) the total number of placements for the case;

(5) the level of care required for each child involved in the case and the difficulty in providing that care;

(6) the level of department intervention and parental or family services required for the case and the difficulty in providing those services;

(7) the level of cooperation of each parent involved in the case;

(8) the amount of travel required to manage the case considering the geographic distances between the caseworker's

1 office and the location of the child's residence, the child's
2 service providers, the court in which the case is pending, and any
3 other considerations affecting the caseworker's travel;

4 (9) any difficulties associated with handling cases in
5 each specific department region; and

6 (10) any other factor the department determines
7 reasonable and necessary to assess the difficulty of handling a
8 case.

9 (b) After considering the factors described by Subsection
10 (a), the department shall assign each child protective services
11 case a score. The department shall assign average cases a score of
12 one, more difficult cases a score of greater than one, and easier
13 cases a score of less than one.

14 (c) Using the score for each case, the department shall
15 calculate each caseworker's daily average caseload for each month.
16 The caseworker's daily average caseload for a month is calculated
17 by:

18 (1) multiplying the score assigned under Subsection
19 (b) for the case by the number of days in the month the caseworker
20 was assigned the case;

21 (2) dividing the product of the calculation determined
22 under Subdivision (1) by the number of days in the month;

23 (3) repeating the calculations in Subdivisions (1) and
24 (2) for each case assigned to the caseworker in the month; and

25 (4) adding the quotients of each calculation under
26 Subdivision (2).

27 (d) The department shall establish a maximum daily average

1 caseload for child protective services caseworkers based on the
2 caseworker's experience and the stage of each case, including
3 whether the case involves the provision of family-based safety
4 services, the department being named permanent managing
5 conservator of the child, or the adoption of the child.

6 (e) The department shall establish a procedure for
7 authorizing a child protective services caseworker to exceed the
8 maximum daily average caseload. The procedure must include a
9 report stating:

10 (1) the reasons for authorizing the caseworker to
11 exceed the maximum daily average caseload; and

12 (2) the number of days the caseworker may exceed the
13 maximum daily average caseload.

14 (f) The department shall publish on the department's
15 Internet website the maximum daily average caseload for child
16 protective services caseworkers and the methodology for
17 determining that maximum.

18 (g) Not later than the December 1 of each year, the
19 department shall submit to the governor, lieutenant governor,
20 speaker of the house of representatives, and chairs of the standing
21 committees of the senate and house of representatives having
22 primary jurisdiction over child protection issues a report
23 containing information relating to the caseloads of child
24 protective services caseworkers.

25 SECTION 2. This Act takes effect September 1, 2019.