

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 1, 2019

TO: Honorable James B. Frank, Chair, House Committee on Human Services

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
 Legislative Budget Board

IN RE: HB4188 by Middleton (Relating to the authority of the Department of Family and Protective Services to conduct certain interviews of a child who is the subject of a report of abuse or neglect.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4188, As Introduced: a negative impact of (\$9,453,672) through the biennium ending August 31, 2021.

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
2020	(\$3,359,276)
2021	(\$6,094,396)
2022	(\$5,726,234)
2023	(\$5,726,234)
2024	(\$5,726,234)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Probable Savings/(Cost) from GR Match For Medicaid 758	Probable Savings/(Cost) from Federal Funds 555	Change in Number of State Employees from FY 2019
2020	(\$3,321,951)	(\$37,325)	(\$373,253)	39.0
2021	(\$6,026,680)	(\$67,716)	(\$677,155)	77.0
2022	(\$5,662,609)	(\$63,625)	(\$636,248)	76.0
2023	(\$5,662,609)	(\$63,625)	(\$636,248)	76.0
2024	(\$5,662,609)	(\$63,625)	(\$636,248)	76.0

Fiscal Analysis

The bill would amend Family Code to require the Department of Family and Protective Services (DFPS) investigators to obtain written consent from the parent or person with custody or a court order prior to interviewing a child at school during an investigation.

The bill would take effect September 1, 2019.

Methodology

The analysis assumes that to obtain written consent or a court order would require additional caseworker time as this would be a new function for investigators.

DFPS indicated that there were 48,922 investigations in fiscal year 2018 that were identified as being or attempted to be initiated at a school. This analysis assumes of the total number of investigations, a third or 16,307 cases would require a court order.

Analysis assumes an increase of 2 hours per court ordered case and 1 hour per case that does not involve a court order would be required to initiate the investigation. This would result in 5,436 total hours per year. There are 126 hours per month for an investigative caseworker to complete an investigation and therefore an additional 43 investigator caseworkers are needed in each fiscal year. The analysis assumes additional related staff to support the caseworkers.

DFPS indicated that additional travel would be needed for caseworkers to visit the homes of the children or the court to receive an order. The analysis assumes of the 2,639 total number of investigator caseworkers, 24 percent would be initiated at schools and therefore 633 caseworkers would incur additional travel costs.

The analysis assumes that there will be a 6 month period of hiring caseworkers and related staff and subsequent training before any cases are assigned.

The analysis also assumes additional costs to upgrade IMPACT to track the additional documentation in each case, upgrades are expected to be completed in fiscal year 2021 with one full-time equivalent (FTE) each fiscal year for 4,781 hours of work to complete the task. The total cost for system upgrades are assumed to be \$123,793 in fiscal year 2020 and \$299,783 in fiscal year 2021.

Technology

The analysis assumes data center FTE related technology costs would \$8,085 in fiscal year 2020 \$16,170 in fiscal year 2021 and \$15,960 in subsequent fiscal years.

Local Government Impact

According to DFPS, in fiscal year 2018 there were 48,922 investigations that were initiated or were attempted to be initiated at a school. The agency assumes that a third of these cases would require a court order under the provisions of the bill. The fiscal effect of these additional court orders on local courts cannot be determined at this time; however, these costs could be significant.

Source Agencies: 530 Family and Protective Services, Department of

LBB Staff: WP, AKi, EP, AN, HL, GP