

BILL ANALYSIS

Senate Research Center
87R18670 BDP-D

C.S.S.B. 1079
By: Campbell
Health & Human Services
4/14/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Last year, a United States district judge held state officials in contempt of court for not making enough progress on court orders, including timely investigations of abuse and neglect in foster homes.

To meet this requirement, the Department of Family and Protective Services (DFPS) now publishes monthly data reports giving local communities and providers access to pertinent real-time information regarding the child welfare system. Frequent and accessible information helps community providers offer relevant support to keep foster and biological families safely together. Additionally, this timely information can help end the cycle of neglect and abuse at certain homes and facilities for children in care.

S.B. 1079 statutorily requires DFPS to post these monthly metrics to ensure that transparency is maintained without the pressure of a federal lawsuit. In addition to the reports currently posted on the DFPS website, S.B. 1079 also requires DFPS to publish monthly reports on statewide intake by job type, demographic information for various reporting types, all instances of cases for abuse and neglect, and information on those who exit the state's custody. Various tools of real-time information help policy makers and interested parties make better decisions on behalf of our children in the foster care system.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1079 amends current law relating to monthly reports of certain activity of the Department of Family and Protective Services.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 264.017, Family Code, by adding Subsections (f) and (g), as follows:

(f) Requires the Department of Family and Protective Services (DFPS), in addition to the other reports required by Section 264.017 (Required Reporting), to publish a monthly report containing the following information for the preceding month:

(1) with respect to statewide intake:

(A) the number of child abuse, neglect, or exploitation reports received sorted by source of the report;

(B) the number of child abuse, neglect, or exploitation reports that met the statutory definition of child abuse, neglect, or exploitation that were referred for investigation sorted by the type of allegation and the number

of reports that were confirmed as abuse, neglect, or exploitation after an investigation;

(C) the average time to process an electronic report of child abuse, neglect, or exploitation;

(D) the average hold time for calls to DFPS's abuse hotline;

(E) the percentage of calls to DFPS's abuse hotline that were abandoned before the caller spoke with a person; and

(F) the number of calls received by the Texas Youth Helpline regarding runaway youth;

(2) with respect to child protective investigations:

(A) the total number of cases opened;

(B) the total number of cases completed and closed sorted by the manner in which the case was closed;

(C) the average number of days to close a case;

(D) the total number of cases opened at residential child-care facilities;

(E) the total number of cases assigned the highest and second highest priorities the investigations of which were started within the time required by Section 261.301 (Investigation of Report);

(F) the total number of cases for which the determination was changed after an administrative review within 12 months of the date of the determination; and

(G) the percentage of alleged victims in investigations that were closed without providing services for which, within 12 months of the date the case was closed, DFPS confirmed another allegation of abuse, neglect, or exploitation against the child or opened another stage for services;

(3) with respect to family-based safety services:

(A) the total number of cases opened;

(B) the total number of cases closed;

(C) the average number of days to close a case;

(D) the percentage of cases in which a child was eventually removed from the child's home; and

(E) the percentage of cases which were closed without providing further services for which, within 12 months of the date the case was closed, DFPS confirmed another allegation of abuse, neglect, or exploitation against the child or opened another stage for services;

(4) with respect to conservatorship services:

(A) the total number of children removed from their home;

(B) the total number of children who exited from the managing conservatorship of DFPS sorted by the manner in which the child exited;

(C) the average number of months a child remained in the managing conservatorship of DFPS;

(D) the average number of placements a child has while in the managing conservatorship of DFPS;

(E) the percentage of sibling groups placed with the same foster family;

(F) the percentage of youth who have aged out of foster care and completed the Preparation for Adult Living program;

(G) the percentage of youth who exited from the managing conservatorship of DFPS to a permanent placement;

(H) the percentage of children who are adopted within 12 months of the date their parent's parental rights were terminated;

(I) the percentage of children in the managing conservatorship of DFPS for longer than two years who achieve permanency;

(J) the percentage of children who are returned to their parents, and for whom, within 12 months of the date the case was closed, DFPS confirmed another allegation of abuse, neglect, or exploitation against the child or opened another stage of services;

(K) the percentage of children in the managing conservatorship of DFPS who are placed with a relative caregiver; and

(L) the percentage of children in foster care placed in each county in the state;

(5) with respect to residential child-care licensing:

(A) the percentage of investigations in which DFPS made a high risk finding;

(B) the percentage of child-care facilities with no recent violations;

(C) the number of illegal operations identified, resolved, and pending; and

(D) the number of validated allegations of child abuse, neglect, or exploitation in child-care facilities; and

(6) with respect to staffing in statewide intake, residential child-care investigations, child protective investigations, family-based safety services, and conservatorship services:

(A) the percentage of caseworker turnover;

(B) the total number of caseworkers hired;

(C) the total number of caseworkers terminated;

(D) the average vacancy rate for caseworker positions; and

(E) the average daily caseloads for caseworkers.

(g) Requires DFPS to provide the report required by Subsection (f) to the legislature and publish the report and make the report available electronically to the public not later than the 30th day after the end of the month for which the report is made.

(h) Authorizes DFPS to contract with a third party to assist DFPS with collecting, analyzing, and reporting the data required under Subsection (f).

SECTION 2. Effective date: September 1, 2021.