

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 21, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2055 by Klick (Relating to investigations of child abuse and neglect and the procedures for adding names to or removing names from the central registry of child abuse and neglect.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2055, As Introduced : a negative impact of (\$2,435,163) through the biennium ending August 31, 2023.

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:

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2022	(\$1,547,597)
2023	(\$887,566)
2024	(\$887,566)
2025	(\$887,566)
2026	(\$887,566)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund 1</i>	<i>Probable Savings/(Cost) from GR Match For Medicaid 758</i>	<i>Probable Savings/(Cost) from Federal Funds 555</i>	<i>Change in Number of State Employees from FY 2021</i>
2022	(\$1,532,863)	(\$14,734)	(\$132,609)	15.0
2023	(\$877,813)	(\$9,753)	(\$87,781)	13.0
2024	(\$877,813)	(\$9,753)	(\$87,781)	13.0
2025	(\$877,813)	(\$9,753)	(\$87,781)	13.0
2026	(\$877,813)	(\$9,753)	(\$87,781)	13.0

Fiscal Analysis

The bill would amend Family Code to add specific retention schedules for maintaining a person's name on the central registry based on the severity code assigned to the finding. In addition, the bill would require the Department of Family and Protective Services (DFPS) to automatically remove the name of any juvenile perpetrators from the central registry in certain circumstances.

The bill would require DFPS to establish an expungement review panel to review requests by designated perpetrators in child protective investigations (except for child-care facility and school investigations) to have their name removed from the central registry. The panel is to be composed of DFPS employees and one person

from the public appointed by the DFPS commissioner to serve on the panel for two-year terms not to exceed more than three terms. The public member of the expungement review panel is considered a volunteer.

The bill would also require a person who desires to have the person's name removed from the central registry submit a written request to the commissioner that includes a letter describing the reason for the request. In addition, the bill would limit a person to requesting a maximum of four hearings total.

Methodology

This analysis assumes the creation of a new function at DFPS for the review panel. DFPS does not currently have a process in place for a person with a substantiated finding to request removal of their name from the central registry upon a showing of rehabilitation.

Based on information from DFPS, the agency currently has 12 resolution specialists who conduct approximately 1,200 administrative reviews of investigations a year. This existing responsibility was used to estimate Full-time Equivalents (FTEs) needed to meet agency obligations for the new function. This analysis assumes 6.0 regional panels staffed by 2.0 Program Specialists V FTEs and one public member and would be overseen by 1.0 Director IV FTE.

This analysis assumes the panels would address approximately 1,300 requests per year. The estimate is based upon the assumption that 2.5 percent of newly designated individuals will request a review. Based on information from DFPS, the agency designates approximately 51,800 persons a year as a perpetrator, the average of the last five years.

This analysis assumes costs will begin in fiscal year 2022, as DFPS will have individuals who have already been in the registry for three years who are eligible to request the review.

Technology

This analysis assumes 2,075 contract hours needed to update DFPS's Information Management Protective Adults and Children in Texas (IMPACT) system. This would require 1.0 System Analyst V in fiscal year 2022 and a cost of \$231,659.

This analysis also assumes the Health and Human Services Commission would need 1,443 contract hours to add new data fields to the agency's Childcare Licensing Automated Support System (CLASS) system and would require 1.0 FTE in fiscal year 2022 and a cost of \$206,777.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Hlth & Human Svcs Comm, 530 Family & Protective Services

LBB Staff: JMc, AKI, JLI, AN