

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 22, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2550 by Dutton (Relating to services provided by the Department of Family and Protective Services.), **As Introduced**

The fiscal implications of the bill cannot be determined at this time due to the inability to identify the corresponding impact of the limitation of services provided by the Department of Family and Protective Services.

Currently child protective services (CPS) at the Department of Family and Protective Services (DFPS) uses a variety of services to meet the different and specific needs of children and families involved with CPS in order to assist in timely reunification of families, to ensure the needs of the children are met, and to support resolution to other positive permanency outcomes.

It is assumed that DFPS would be unable to provide the current array of services such as substance abuse services, mental health assessments (psychological, psychiatric, psychosocial), purchased adoption/home studies for kinship, concrete services (assistance with transportation, utilities, food), group counseling (such as the Battering Intervention and Prevention Program (BIPP) for domestic violence issues) and other services that may be identified to specifically meet the needs of a child, parent or family. This could impede resolution of the impact of abuse or neglect, delay reunifications and result in children remaining in care for longer periods of time, as well as increase the number of children in Permanent Managing Conservatorship (PMC) of the state. Additionally, it is assumed there would be a substantive decrease in adoptions, as the purchase of adoption preparation and studies facilitating identification of families and movement to adoption would no longer be allowed.

It is also assumed that there would be a significant reduction in the ability to resolve issues impacting child safety in family-based safety services (FBSS) cases and in efforts to facilitate current exits to positive permanency (reunification, kinship placements, adoption). It is assumed that older youth would age out of care instead of exiting to positive permanency, and younger children would have their exits significantly slowed.

The impact of an increase in removals from FBSS and significant delays in exiting care would increase workloads and CPS Conservatorship (CVS) case stages. It is also assumed the length of time a child is in paid foster care would also increase. While it is assumed that both impacts would result in an overall increase in expenditures, the analysis is unable to estimate the total costs associated with implementation of the provisions of the bill.

Finally, it is assumed that expenditures in Strategy B.1.4, Adoption Purchased Services, and Strategy B.1.7, Substance Abuse Purchased Services, would be discontinued. It is assumed that expenditures in Strategy B.1.8, Other CPS Purchased Services, for the specifically approved services outlined in Family Code Sec 264.201(d) would increase due to the increased number of youth in conservatorship but this analysis is unable to adequately quantify the increased cost or the corresponding offsets from changes in the utilization of these services.

Local Government Impact

The fiscal implications of the bill cannot be determined at this time. It is assumed there would be fiscal impact to local government entities due to the increased number of court cases associated with increased removals and increased number of Permanency Hearings for youth with extended time in DFPS conservatorship but the analysis is unable to quantify the potential caseload growth.

Source Agencies: 530 Family & Protective Services

LBB Staff: JMc, AKI, JLI, AN