

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 15, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2551 by Dutton (Relating to certain placements for children in the conservatorship of the Department of Family and Protective Services.), **Committee Report 1st House, Substituted**

The fiscal implications of the bill cannot be determined at this time due to the inability to estimate the impact of parents or guardians unwilling to consent their child to a kinship placement as a result of implementation of this bill.

The bill would give the parent the authority to consent and withdraw consent to a kinship placement throughout the duration of the child's time in the care of the the Department of Family and Protective Services (DFPS) except in certain circumstances where a court determines the parent is unreasonably withholding consent to the placement. It is assumed that if this change reduces the overall use of kinship placement it will result in a corresponding increase to paid foster care placements.

During fiscal year 2020, a total of 6,201 children, or 38.0 percent of removals, were placed in kinship homes. It is assumed in instances where the child's parent or guardian is unwilling to consent to a kinship place that the child would be placed in paid foster care. It is assumed that there would be an increased cost in paid foster care and a reduction in Relative and Other Caregiver (RODC) costs. The current RODC daily rate paid to caregivers is \$11.15 per day compared to the basic daily foster care rate of \$27.07 and as more children move from kinship to foster care the costs are estimated to increase. In addition, it is assumed there could be delays in exits from DFPS as kin are often the permanent placement for the child. The delay in exits would further increase paid foster care costs as children stay in this placement longer.

Overall, while the analysis assumes that there would be a cost for each child placed in foster care as opposed to RODC, the analysis is unable to estimate the utilization of and the total cost associated with implementation of the provisions of the bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family & Protective Services

LBB Staff: JMc, AKI, JLI, AN