

**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: HB2680** by Hull (Relating to certain procedures relating to children placed under a parental child safety placement.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2680, As Introduced : a negative impact of (\$34,680,394) 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>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2022	(\$17,462,074)
2023	(\$17,218,320)
2024	(\$15,266,960)
2025	(\$15,266,960)
2026	(\$15,266,960)

**All Funds, Five-Year Impact:**

<i>Fiscal Year</i>	<b>Probable Savings/(Cost) from General Revenue Fund 1</b>	<b>Probable Savings/(Cost) from GR Match For Medicaid 758</b>	<b>Probable Savings/(Cost) from Federal Funds 555</b>	<i>Change in Number of State Employees from FY 2021</i>
2022	(\$17,358,162)	(\$103,912)	(\$6,699,493)	150.0
2023	(\$17,136,718)	(\$81,602)	(\$7,895,765)	149.0
2024	(\$15,185,358)	(\$81,602)	(\$6,944,466)	149.0
2025	(\$15,185,358)	(\$81,602)	(\$6,944,466)	149.0
2026	(\$15,185,358)	(\$81,602)	(\$6,944,466)	149.0

**Fiscal Analysis**

The bill would amend Family Code and require a court, before ordering participation in services, to advise an unrepresented parent, managing conservator, guardian, or other household member of a child in a parental child safety placement of their right to be represented by an attorney. If such a person is indigent and opposes the order to participate, the court must advise them of their right to a court-appointed attorney.

The bill would require a parental child safety placement agreement to automatically end 30 days after the agreement is signed or the child is placed with the caregiver.

## **Methodology**

Based on information from the Department of Family and Protective Services (DFPS), the automatic end of the placement would reduce the length of time for a parental child safety placement, from the current 60 day time frame, with a possibility of a 60 day extension, to 30 days. This analysis assumes that the reduction in time would allow for less time for the parent/caregiver who is engaged with services, to demonstrate behavioral changes that support their child being placed back in their care. This analysis assumes an increase to the number of instances in which a caregiver is unable to demonstrate changes to the circumstance that compromised child safety, and subsequently an increase in removals to allow DFPS to ensure the continued safety of the children.

In fiscal year 2020, the average length of time for children in a parental child safety placement was four months. This analysis assumes that of the average 7,445 children in parental child safety placement for longer than 30 days, approximately 20 percent, or 1,489 children would be removed due to the change in statute. The increase in removals will result in increased resource needs for relative caregiver or other designated caregiver (RODC), paid foster care and Full-time Equivalents (FTEs).

Based on information from DFPS, the estimated increase in removals assumes 69.0 percent of children would be placed with a relative caregiver receiving the RODC daily rate of \$11.55; 10.0 percent would be placed with a caregiver who does not qualify for an RODC payment; and 21.0 percent would be placed in paid foster care placements evenly split between basic and moderate service level.

Due to assumption of increased removals, this analysis assumes an additional 105.0 direct delivery staff FTEs and 45.0 associated support staff FTEs to achieve caseload per worker targets.

## **Technology**

This analysis assumes 1,373 hours of work to update the Information Management Protecting Adults and Children in Texas (IMPACT) system to incorporate functionality to automatically end a placement after 30 days and modifications to forms and data transfer and reporting. This would result in a need of 1.0 contracted System Analyst V FTE in fiscal year 2022 and a cost of \$153,224.

## **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Admin, 530 Family & Protective Services

**LBB Staff:** JMc, AKI, JLI, AN