88S30034 MLH-D

By:  Gervin-Hawkins H.B. No. 35

A BILL TO BE ENTITLED

AN ACT

relating to the Department of Family and Protective Services' annual report of key performance measures and data elements for child protection; authorizing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 264.017, Family Code, is amended by amending Subsection (b) and adding Subsection (g) to read as follows:

(b)  The department shall provide the report required by Subsection (a) to the legislature and shall publish the report and make the report available electronically to the public, including by posting the report on the department's Internet website, not later than February 1 of each year.  The report must include, with respect to the preceding year:

(1)  information on the number and disposition of reports of child abuse and neglect received by the department;

(2)  information on the number of clients for whom the department took protective action, including investigations, alternative responses, and court-ordered removals;

(3)  information on the number of clients for whom the department provided services in each program administered by the child protective services division, including investigations, alternative responses, family-based safety services, conservatorship, post-adoption services, and transitional living services;

(4)  the number of children in this state who died as a result of child abuse or neglect;

(5)  the number of children described by Subdivision (4) for whom the department was the children's managing conservator at the time of death;

(6)  information on the timeliness of the department's initial contact in an investigation or alternative response;

(7)  information on the response time by the department in commencing services to families and children for whom an allegation of child abuse or neglect has been made;

(8)  information regarding child protection staffing and caseloads by program area;

(9)  information on the permanency goals in place and achieved for children in the managing conservatorship of the department, including information on the timeliness of achieving the goals, the stability of the children's placement in foster care, and the proximity of placements to the children's home counties;

(10)  the number of children who suffer from a severe emotional disturbance and for whom the department is appointed managing conservator, including statistics on appointments as joint managing conservator, due to an individual voluntarily relinquishing custody of a child solely to obtain mental health services for the child;

(11)  the number of children who are pregnant or a parent while in the managing conservatorship of the department and the number of the children born to a parent in the managing conservatorship of the department who are placed in the managing conservatorship of the department;

(12)  the number of children who are missing from the children's substitute care provider while in the managing conservatorship of the department; [~~and~~]

(13)  the number of children who were victims of trafficking under Chapter 20A, Penal Code, while in the managing conservatorship of the department; and

(14)  information on the state's kinship care program.

(g)  The comptroller shall assess a penalty against the department in the amount of $1,000 for each day after February 1 the department has not filed the report under Subsection (b). The comptroller shall reallocate the amount assessed as a penalty under this subsection as necessary to allow the department to use the money to provide financial assistance to relative and other designated caregivers under Section 264.755.

SECTION 2.  This Act takes effect on the 91st day after the last day of the legislative session.