

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 13, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1085 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 HB1085, As Introduced : a negative impact of (\$707,109) through the biennium ending August 31, 2025.

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>	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2024	(\$524,009)
2025	(\$183,100)
2026	(\$183,100)
2027	(\$183,100)
2028	(\$183,100)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable (Cost) from General Revenue Fund 1	Probable (Cost) from GR Match For Medicaid 758	Probable (Cost) from Federal Funds 555
2024	(\$520,420)	(\$3,589)	(\$17,943)
2025	(\$183,100)	\$0	\$0
2026	(\$183,100)	\$0	\$0
2027	(\$183,100)	\$0	\$0
2028	(\$183,100)	\$0	\$0

Fiscal Analysis

The bill would require the parental child safety placement (PCSP) agreement to automatically terminate on the earlier of the 30th day after either the date that the agreement is signed or the child is placed with the caregiver.

The bill would also require the Department of Family and Protective Services (DFPS) to allow the caregiver to use department resources, including respite care, to maintain the safety and meet the needs of the child.

Lastly, the bill would require DFPS to include children who are placed with a caregiver under a PCSP agreement in any report and report the number of cases in which a court under Section 264.203 orders

the parent, managing conservator, guardian, or other member of the child's household of a child who is placed with a caregiver under a PCSP to participate in services.

Methodology

This analysis assumes the need to contract for respite care as DFPS only provides respite care for children in foster care. It is assumed that the daily rate for administrating the services would be the same as in foster care, therefore the rate would be \$49.54. It is assumed that 10.0 percent of PCSP caregivers would utilize this service for a maximum of 14 days, which is the standard length of time the services are utilized in foster care. In fiscal year 2022, there were 2,640.0 children in PCSPs. Of those, 264.0 children would need respite care for a total of 3,696.0 days of care.

This analysis also assumes the need of 2.0 contracted full time equivalents in fiscal year 2024 to update the Information Management Protecting Adults and Children in Texas (IMPACT) system to allow for new reporting requirements. It is assumed 3,521 hours would be required to complete the IT changes.

This analysis is unable to determine how the restriction of the PCSPs to 60 days will affect the number of children entering DFPS conservatorship. After 60 days, DFPS would need to evaluate if the child could safely return home, or move forward with a legal removal if the risk has not been mitigated and immediate danger is still present.

Technology

Included in estimated costs are \$340,908 in General Revenue Funds in fiscal year 2024 for technology modifications.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family and Protective Services, Department of

LBB Staff: JMc, NPe, ER, AN, NV