

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**April 18, 2023**

**TO:** Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB4161** by Gervin-Hawkins (Relating to the procedures for providing notice to certain individuals on placement of a child in the managing conservatorship of the Department of Family and Protective Services.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB4161, As Introduced : a negative impact of (\$69,766,026) 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> | <i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i> |
|--------------------|---|
| 2024               | (\$33,971,839)  |
| 2025               | (\$35,794,187)  |
| 2026               | (\$35,070,694)  |
| 2027               | (\$35,191,820)  |
| 2028               | (\$35,316,662)  |

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

| <i>Fiscal Year</i> | <i>Probable (Cost) from General Revenue Fund 1</i> | <i>Probable (Cost) from GR Match For Medicaid 758</i> | <i>Probable (Cost) from Federal Funds 555</i> | <i>Change in Number of State Employees from FY 2023</i> |
|--------------------|--|---|---|---|
| 2024               | (\$33,596,572)                                     | (\$375,267)   | (\$3,342,373)                                 | 408.3   |
| 2025               | (\$35,401,046)                                     | (\$393,141)   | (\$3,518,874)                                 | 408.3   |
| 2026               | (\$34,676,259)                                     | (\$394,435)   | (\$3,463,353)                                 | 408.3   |
| 2027               | (\$34,796,054)                                     | (\$395,766)   | (\$3,475,332)                                 | 408.3   |
| 2028               | (\$34,919,524)                                     | (\$397,138)   | (\$3,487,679)                                 | 408.3   |

**Fiscal Analysis**

The bill would require the Department of Family and Protective Services (DFPS) to locate relatives within the fourth degree by consanguinity no later than 72 hours after the department files a suit affecting the parent-child relationship.

In addition, DFPS would be required to report to the child's state representative, state senator and the governor within 120 days after the department files a suit affecting the parent-child relationship.

## **Methodology**

According to DFPS, currently the agency has 30 days to locate relatives. The department would need to expediate their research in locating both maternal and fraternal relatives to achieve the new deadline of no later than 72 hours. This analysis assumes an additional 40.0 hours of work would be needed per case. This would include locating, notifying relatives, documenting responses, and filling out documents manually since the Information Management Protecting Adults and Children in Texas (IMPACT) system does not allow for reporting beyond the third degree of consanguinity.

According to DFPS, in fiscal year 2022, child protective investigators (CPI) removed 8,286 children and family-based safety services (FBSS) removed 1,355 children. This analysis assumes the need of 219.0 CPI Caseworker Fulltime Equivalent (FTEs) and 36.0 FBSS Caseworker FTEs in each fiscal year to address the additional workload. In addition, 145.30 support staff FTEs each fiscal year would be needed to support the new caseworkers. These FTEs include supervisors, program specialists and case aids.

In addition, the Family Inquiry Network/Database Research System unit at DFPS would need to be staffed 24 hours, 7 days a week to ensure the new deadline is met. This analysis assumes the need of 7.0 Investigator II FTEs and 1.0 Administrative Assistant II FTE each fiscal year to complete the work.

Lastly, this analysis assumes modifications to IMPACT to create a new displays, update the internal database to track information on why the child was not placed with the relative and develop new reports. It is assumed 13,737 hours and 3.2 FTEs in fiscal year 2024 and 3.8 FTEs in fiscal year 2025 would be needed to complete the modifications.

## **Technology**

Costs are assumed to be \$645,484 in General Revenue in fiscal year 2024 and \$841,275 in General Revenue in fiscal year 2025 for IT 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, DDeI, ER, AN, NV