



Presentation to the joint meeting of the Partners in Child Protection Reform and the Child Protection Roundtable

**Commissioner Howard Baldwin
January 11, 2012**

- Legislation Implementation Update
 - SB 219 by Senator Nelson
 - HB 753 by Representative Raymond
 - HB 848 by Representatives Guillen and Raymond
 - HB 2170 by Representatives Raymond and Dukes
 - SB 218 by Senator Nelson
- Operating Budget
- Foster Care Redesign

Legislation Implementation Update

HB 753 by Representative Raymond

Bill Summary:

- Requires DFPS to use "special assessment tools" in screening applicants for employment in order to match them with the position for which they would be best suited.
- Requires DFPS to give favorable consideration to an applicant for an entry-level caseworker who has a master's degree or a bachelor's degree in social work over other applicants with comparable skills.
- Requires DFPS to study salaries to determine how they affect recruitment and retention.

Implementation Update:

- DFPS is reviewing the pre-interview assessment that is currently used for caseworkers and determining if other applicable tools are available.
- The salary survey is broken down into two surveys: a Field Recruitment and Retention survey, and a Turnover Survey.
- Distribution of the surveys will be Jan 2- Feb 10, 2012.
- All caseworkers employed with the agency on October 1, 2011 will be eligible to participate in the salary studies.

HB 848 by Representatives Guillen and Raymond

Bill Summary:

- Amends the Family Code to allow a parent to enter into an authorization agreement with any person with whom a child is placed in an approved parental child safety placement (PCSP) while DFPS is conducting an investigation or providing services to the family, granting the person the ability to engage in certain actions on behalf of a child, such as enrolling the child in school, obtaining medical treatment, and applying for benefits or insurance on behalf of the child. (Prior to this legislation, parents could only enter into such agreements with certain specified relatives of the child.)
- Specifies that an authorization agreement may not confer the right to authorize the performance of an abortion or administration of contraception.

Implementation Update:

- The Authorization Agreement for Non-Parent Relative or Voluntary Caregiver form has been updated and posted online in English and Spanish.
- PCSP policy revisions are currently under review.

SB 219 by Senator Nelson

Bill Summary:

- Expands DFPS training requirements for trauma-informed care to include additional provisions: to provide the training to CPS supervisors, to require annual refresher courses, to conduct annual evaluations of the effectiveness of the training, and to assist CASA programs, child advocacy centers, community mental health centers, and domestic violence shelters in developing trauma-informed training as able.

Implementation Update:

- Caseworkers have begun receiving trauma-informed care training as part of the Basic Skills Development (BSD) training.
- The required refresher course is currently being developed.
- DFPS has launched the Trauma-Informed Initiative to transition the Texas child welfare system into a trauma informed system and has met with external stakeholders to develop practice and training for this transition; options of surveys or evaluations have been discussed.
- The DFPS Residential Contract now requires residential child care providers to ensure that all direct care staff and foster parents complete the training.

HB 2170 by Representatives Raymond and Dukes

Bill Summary:

- Assists foster children in obtaining and understanding the child's credit report.
- Requires DFPS to advise foster children of their rights via the Foster Children Bill of Rights.

Implementation Update:

- A PSA (Protective Services Action) regarding changes/updates to the bill of rights and the process for requesting credit reports was issued to staff in July.
- The appropriate form was revised to reflect the changes and is available online in both English and Spanish.
- The revised bill of rights has also been posted on the public website.

SB 218 by Senator Nelson

Section 1 Bill Summary:

- Prohibits DFPS from entering into a "case closure agreement" with a child's parent or guardian, an agreement requiring the parent or guardian to take certain actions after the case is closed to ensure the child's safety. The prohibition would not affect an agreement that is entered into:
 - following a court-ordered legal removal that is subject to the approval of a judge;
 - as a result of family group conferencing, a non court-ordered agreement; or
 - at the close of a CPS case in which a parental child safety placement was made when the child will remain in that placement after case closure.

Section 1 Implementation Update:

- A PSA regarding updates to this policy has been approved and will be published in January 2012.

SB 218 by Senator Nelson

Section 2 Bill Summary:

- Requires that CPS take certain actions when, in the course of a DFPS investigation, a child under the age of 11 tests positive for a sexually transmitted disease.
- If DFPS determines sexual abuse likely did occur, DFPS will work with law enforcement to obtain a search warrant to require an individual who is the suspected perpetrator to undergo STD testing.

Section 2 Implementation Update:

- The new policy is in the final stages of review.

SB 218 by Senator Nelson

Section 3 Bill Summary:

- Amends the Family Code by adding language that explicitly references DFPS' authority to seek, or assist an adult in seeking, a protective order under Title 4 of the Family Code (known colloquially as a “kick-out order”), if DFPS determines that doing so is a reasonable alternative to an order for the removal of the alleged perpetrator.

Section 3 Implementation Update:

- DFPS is developing training regarding:
 - The procedures and requirements provided in the amended code for obtaining a kick-out order.
 - Identifying situations in which seeking a kick-out order would be beneficial to the child and family.

SB 218 by Senator Nelson

Sections 4-6 Bill Summary:

- These sections strengthen and clarify the parents' and court's role in development of a service plan, modify how the original service plan takes effect, and clarify existing law surrounding the effective date of subsequent service plans.

Sections 4-6 Implementation Update:

- The new policy has been implemented.

SB 218 by Senator Nelson

Section 7 Bill Summary:

- Removes the requirement for DFPS to conduct an annual youth survey.
- Substitutes the National Youth In Transition Database (NYTD), which DFPS is required to use under Fostering Connections, as the primary data collection report for outcome information about current and former foster youth.

Section 7 Implementation Update:

- Staff has been informed that DFPS will no longer administer the Annual Youth Survey. The NYTD Policy and NYTD Manual for PAL Staff are anticipated to be released January 2012.

SB 218 by Senator Nelson

Section 8 Bill Summary:

- Replaces the references to the Department of Protective and Regulatory Services with the Department of Family and Protective Services
- Entitles DFPS to request the criminal history records from the Department of Public Safety (DPS) of current and prospective employees of and volunteers at Supervised Independent Living centers (SILs) and of anyone age 14 and older who regularly or frequently stays in a host home that is providing SIL services.

Section 8 Implementation Update:

- When SIL contracts are developed next summer, they will require the contractor to request background checks under the newly added requirements. This will be done using the same process the contractor uses when obtaining criminal background checks on other staff.

SB 218 by Senator Nelson

Section 10 Bill Summary:

- Requires the Department of Public Safety to waive driver's license fees for youth in paid foster care younger than 21 years old.

Section 10 Implementation Update:

- DPS and DFPS have coordinated to develop:
 - a driver's license waiver letter for youth to submit when applying for and receiving a driver's license.
 - driver's license fact sheet
 - a policy memo that was delivered to staff in December 2011; it will also be shared with Residential Child Care providers.

SB 218 by Senator Nelson

Section 11 Bill Summary:

- Requires DFPS to implement a redesign of the foster care system in accordance with the Foster Care Redesign report submitted to the legislature.
- Authorizes HHSC to develop a separate payment rate for use in the redesigned system.

Foster Care Redesign Update

Goal:

“To improve outcomes for children and families by creating sustainable placement resources in communities that will meet the service needs of children and youth in foster care, using the least restrictive placement settings.”

Redesign Parameters:

- Neither requires nor precludes additional funding; and
- Case management remains the role of DFPS.

- Guiding Body: DFPS Public Private Partnership
- 3,159 stakeholders participated in 154 meetings, focus groups, workgroups or presentations.
- Stakeholder Survey
 - 622 responses representing 94 Texas counties
- Request for Information (RFI)
 - 22 responses received
- Statewide stakeholder forum in Austin
- Regional presentations held in Corpus Christi, San Antonio, Houston, Abilene, Dallas, El Paso, Nacogdoches, Austin and Amarillo.
- 56 Total responses to the draft RFP

Metropolitan Catchment Areas for Bid:

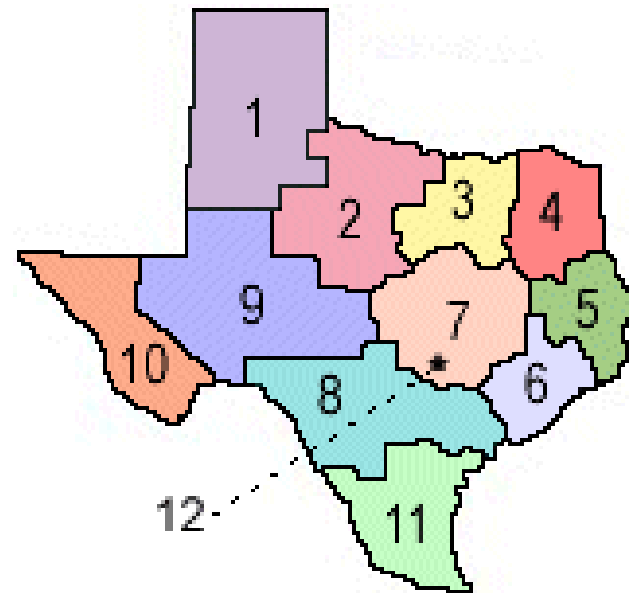
- Region 7 (Austin)
- Region 11 (Edinburg)

Non-Metropolitan Catchment Areas for Bid:

- Region 1 (Lubbock)
- Regions 2/9 (Abilene/Midland)

Contracts Awarded to:

- One metropolitan area
- One non-metropolitan area



- Narrow the submitted proposals to a competitive field in each catchment area.
- Continue internal discussions
- Grant tentative awards
- Enter final negotiations

DFPS FY 2012 Operating Budget

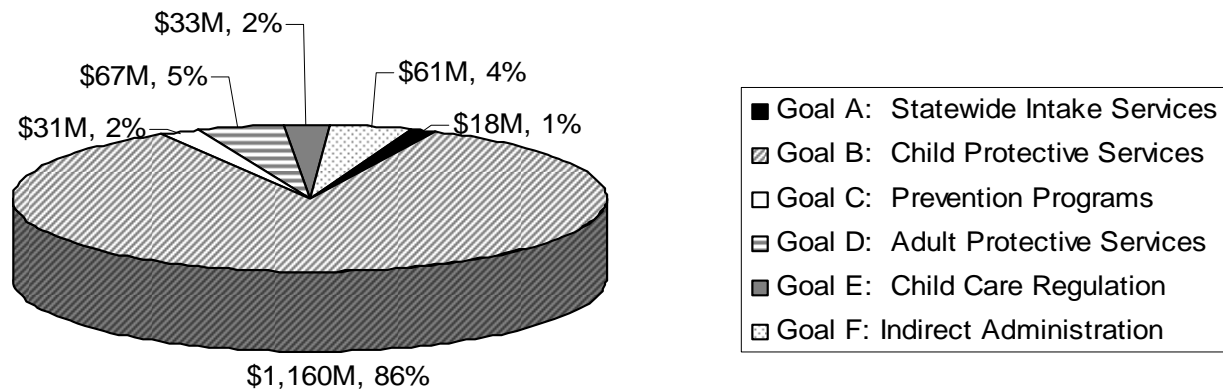
FY 2012 Operating Budget

FY 2012 Monthly Financial Report: Strategy Budget and Variance, All Funds

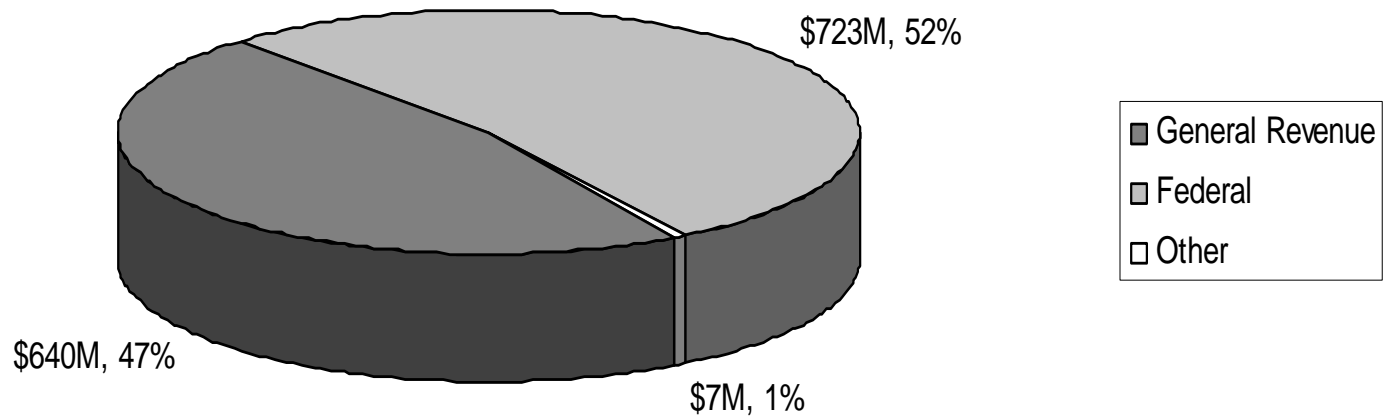
Data Through the End of October 2011

Strategy	Strategy Name	Operating Budget	Projected	Variance
Goal A:	Statewide Intake Services	\$18,219,525	\$18,219,525	\$0
Goal B:	Child Protective Services	\$1,160,056,879	\$1,176,145,701	(\$16,088,822)
Goal C:	Prevention Programs	\$31,002,084	\$31,002,084	\$0
Goal D:	Adult Protective Services	\$66,534,520	\$66,534,520	\$0
Goal E:	Child Care Regulation	\$33,358,067	\$33,358,067	\$0
Goal F:	Indirect Administration	\$60,676,702	\$60,673,474	\$3,228
GRAND TOTAL DFPS		\$1,369,847,777	\$1,385,933,371	(\$16,085,594)
<u>Method of Finance</u>				
	GR	\$634,245,413	\$644,368,033	(\$10,122,620)
	GR-D	5,685,702	5,685,702	0
	<i>Subtotal GR-Related</i>	\$639,931,115	\$650,053,735	(\$10,122,620)
	Federal Funds	\$722,933,925	\$728,896,899	(\$5,962,974)
	Other	\$6,982,737	\$6,982,737	\$0
TOTAL, ALL Funds		\$1,369,847,777	\$1,385,933,371	(\$16,085,594)

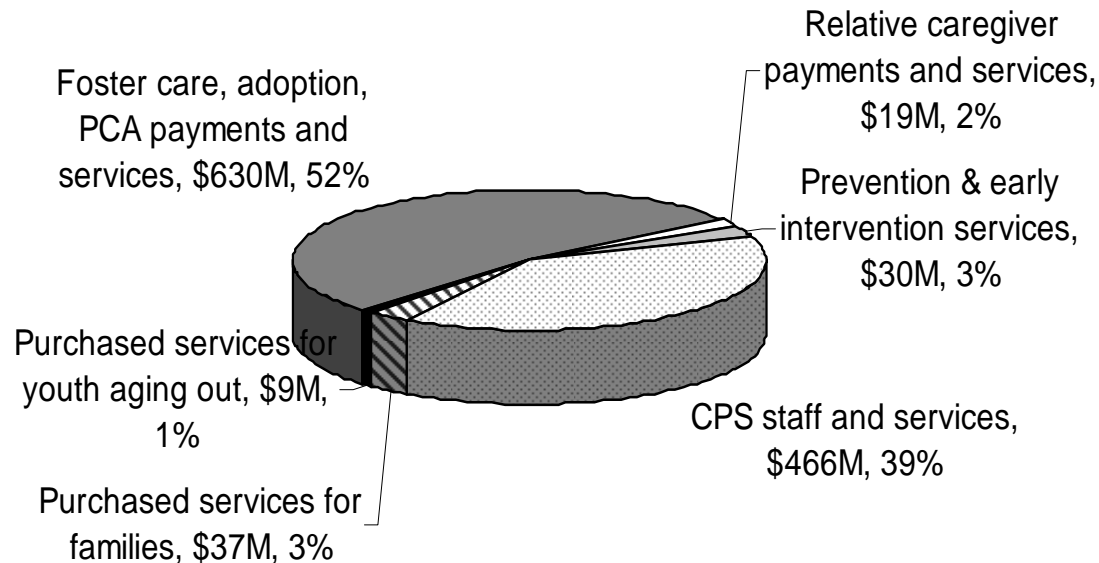
DFPS FY 2012 Budget by Goal Total \$1.4 Billion



DFPS FY 2012 Budget by Method of Finance



Overall Allocation of FY 2012 CPS Budget Total \$1.2 Billion



Projected CPS General Revenue Shortfalls for FY 2012
(Projected amounts needed minus amounts appropriated)

Foster care payments	7,894,365
Foster care day care services	1,547,413
Adoption/PCA subsidy payments	2,234,093
Relative caregiver payments	2,963,443
Relative caregiver day care services	779,805
Protective day care services	<u>669,703</u>
	16,088,822

Key CPS Statistics	FY 2011	FY 2012
Number of completed investigations	175,429	178,405
Number of children adopted	4,611	4,872
Number of children in paid foster care per month	16,769	17,637
Number of children in DFPS conservatorship per month	29,633	31,188
Number of children receiving adoption subsidies	33,343	35,718
Number of children receiving PCA subsidies	82	322

Key CPS Statistics	FY 2011	FY 2012
Average number of STAR youth served per month	6,442	5,707
Average number of CYD youth served per month	6,160	5,419
Average number of families served per month in Texas Families	573	615
Average number served per month in other at-risk programs	<u>4,358</u>	<u>1,608</u>
Total, average monthly number served in prevention programs	17,533	13,349

Note: Prevention programs received substantial budget cuts from the FY 11 funding levels. STAR was cut by 11%, CYD was cut by 32%, and other at-risk programs were cut by 74%.

PEI Budget Reductions As a Percentage of Previous Biennial Appropriation

FY 10 - 11

FY 12 - 13

Services To At Risk Youth (STAR)	<ul style="list-style-type: none"> •Appropriation = \$42,001,720 •34 contracts •Monthly Output = 6,217 •Annual Output = 29,730* 	<ul style="list-style-type: none"> •Appropriation = \$36,566,607 (13% reduction) •34 contracts (each contract amount reduced by 13%) •Monthly Output = 5,444 (12% decrease) •Annual Output = 26,331 (11% decrease)
Community Youth Development (CYD)	<ul style="list-style-type: none"> •Appropriation = \$15,695,198 •15 contracts •Monthly Output = 6,197 •Annual Output = 20,850* 	<ul style="list-style-type: none"> •Appropriation = \$10,078,600 (36% reduction) •15 contracts (each contract amount reduced by 36%) •Monthly Output = 4,500 (27% decrease) •Annual Output = 13,434 (36% decrease)
Texas Families Together and Safe	<ul style="list-style-type: none"> •Appropriation = \$8,243,756 •9 contracts •Monthly Output = 1,211 •Annual Output = 4,577* 	<ul style="list-style-type: none"> •Appropriation = \$5,220,078 (37% reduction) •6 contracts (33% reduction) •Monthly Output = 490 (60% decrease) •Annual Output = 2,199 (52% decrease)
Community Based Child Abuse Prevention Grant	<ul style="list-style-type: none"> •Appropriation = \$3,626,730 •4 contracts •Monthly Output = 102* •Annual Output = 420* 	<ul style="list-style-type: none"> •Appropriation = \$3,281,334 (10% reduction) •4-5 contracts •Monthly Output = awaiting Respite Contract(s) •Annual Output = awaiting Respite Contract(s)
Other At Risk Prevention Programs	<ul style="list-style-type: none"> •Appropriation = \$17,911,820 •23 contracts •Monthly Output = 5,643 •Annual Output = 7,087* 	<ul style="list-style-type: none"> •Appropriation = \$4,581,152 (74% reduction) •4 contracts (83% reduction) •Monthly Output = 3,197 (43% decrease) •Annual Output = 3,564 (50% decrease)
Program Support	<ul style="list-style-type: none"> •Appropriation = \$4,287,918 •32.5 FTEs •Youth and Runaway Hotlines 	<ul style="list-style-type: none"> •Appropriation = \$2,267,630 (47% reduction) •18.5 FTEs (43% reduction) •Youth and Runaway Hotlines

PEI Budget Reductions As a Percentage of Previous Base Funding Amounts

FY 10 - 11

FY 12 - 13

Services To At Risk Youth (STAR)	<ul style="list-style-type: none"> •Base = \$40,883,159 •34 contracts •Monthly Output = 6,217 •Annual Output = 29,730* 	<ul style="list-style-type: none"> •Appropriation = \$36,566,607 (11% reduction) •34 contracts (each contract amount reduced by 13%) •Monthly Output = 5,444 (12% decrease) •Annual Output = 26,331 (11% decrease)
Community Youth Development (CYD)	<ul style="list-style-type: none"> •Base = \$14,720,766 •15 contracts •Monthly Output = 6,197 •Annual Output = 20,850* 	<ul style="list-style-type: none"> •Appropriation = \$10,078,600 (32% reduction) •15 contracts (each contract amount reduced by 36%) •Monthly Output = 4,500 (27% decrease) •Annual Output = 13,434 (36% decrease)
Texas Families Together and Safe	<ul style="list-style-type: none"> •Base = \$7,563,578 •9 contracts •Monthly Output = 1,211 •Annual Output = 4,577* 	<ul style="list-style-type: none"> •Appropriation = \$5,220,078 (31% reduction) •6 contracts (33% reduction) •Monthly Output = 490 (60% decrease) •Annual Output = 2,199 (52% decrease)
Community Based Child Abuse Prevention Grant	<ul style="list-style-type: none"> •Base = \$3,281,334 •4 contracts •Monthly Output = 102* •Annual Output = 420* 	<ul style="list-style-type: none"> •Appropriation = \$3,281,334 (0% reduction) •5 contracts •Monthly Output = awaiting Respite Contract(s) •Annual Output = awaiting Respite Contract(s)
Other At Risk Prevention Programs	<ul style="list-style-type: none"> •Base = \$17,521,606 •23 contracts •Monthly Output = 5,643 •Annual Output = 7,087* 	<ul style="list-style-type: none"> •Appropriation = \$4,581,152 (74% reduction) •4 contracts (83% reduction) •Monthly Output = 3,197 (43% decrease) •Annual Output = 3,564 (50% decrease)
Program Support	<ul style="list-style-type: none"> •Appropriation = \$4,139,014 •32.5 FTEs •Youth and Runaway Hotlines 	<ul style="list-style-type: none"> •Appropriation = \$2,267,630 (45% reduction) •18.5 FTEs (43% reduction) •Youth and Runaway Hotlines