

SUBJECT: Continuing the Children's Trust Fund of Texas Council

COMMITTEE: Human Services — favorable, without amendment

VOTE: 6 ayes — Naishtat, Maxey, J. Davis, Noriega, Telford, Truitt
0 nays
3 absent — Chavez, Christian, Wohlgemuth

SENATE VOTE: On final passage, March 2 — voice vote

WITNESSES: For — Phil Strickland, Texans Care for Children and Texas Baptist Christian Life Commission
Against — None

BACKGROUND: The Children's Trust Fund of Texas Council (CTF) was created in 1985 to address the problems of child abuse and neglect through prevention programs. In 1991, CTF was removed from the jurisdiction of the Texas Department of Human Services and established as an independent state agency.

CTF's funds may be used only for programs geared to prevention of child abuse and neglect, not for treatment. CTF coordinates its efforts through grants to community-based organizations, development of local child abuse and neglect prevention councils (Family PRIDE Councils), coordination of statewide public awareness campaigns, and distribution of public education materials. CTF grants must be used to fund primary and secondary prevention programs that may include parenting education, family visitation, respite care, children's personal safety and life skills education, teen parenting support programs, and a variety of demonstration projects.

To carry out its responsibilities, CTF had seven employees and a budget of \$6.3 million in fiscal 1998-99. CTF is governed by a nine-member council appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members of the council must have a demonstrated concern for child abuse and neglect.

CTF is primarily funded by the Children's Trust Fund, which receives a \$12.50 fee on issuance of each marriage license. Additional funds come from private contributions and the National Center on Child Abuse and Neglect prevention grant program.

The CTF council is statutorily required to develop a state plan for expending funds for child abuse and prevention programs, develop criteria and policies for grant determinations, ensure fair distribution of grants between rural and urban areas of the state, monitor the expenditure of funds, and submit an annual report to the governor and the Legislature no later than December 1 of each year.

CTF is subject to the Sunset Act and underwent Sunset Advisory Commission review during the past interim. The agency will be abolished September 1, 1999, unless continued by the Legislature.

The Department of Protective and Regulatory Services (PRS) created a Community Initiatives Division in 1997 to consolidate all community-based programs to prevent child abuse and neglect.

DIGEST: SB 351 would continue the Children's Trust Fund of Texas Council (CTF) until September 1, 2011. The bill would include CTF under the Health and Human Services Commission (HHSC). The council could employ an executive director and other necessary staff.

SB 351 would add standard sunset provisions governing conflict of interest, appointee qualifications, grounds for removing members from the council, standards of conduct, training, policies that separate the functions of agency staff and the policy making body, public testimony at meetings, complaints, and equal opportunity employment. Changes would only apply to council members appointed on or after the bill's September 1, 1999, effective date.

SUPPORTERS SAY: SB 351 would continue CTF as an independent agency, but included under the HHSC umbrella, and maintain CTF's current mission and goals. Placing CTF under HHSC, the coordinating entity for all health and human services agencies, would promote improved quality assurance and help prevent duplication of services. SB 351 would also allow CTF to employ the necessary staff to support local child abuse and neglect prevention programs statewide.

CTF should maintain its independence and should not be merged into another agency. CTF has been doing an effective job, and its budget and performance were not at issue in its Sunset review. CTF or its activities specifically should not be placed under PRS. CTF deals solely with the prevention of abuse and neglect, while PRS deals mainly with early intervention and investigation. A system that is investigative and judgmental cannot provide services in an impartial helping manner.

In a practical instance, a family may be less likely to participate in CTF prevention activities if CTF were placed under PRS because of the negative social stigma attached to PRS investigations. For this reason alone, it would be best for CTF to not be associated with PRS, so that families would be encouraged to participate in prevention activities.

Merging the CTF program or its activities into PRS would not create a fiscal savings. PRS already is overloaded with its current duties and does not need to take on work now being done efficiently by another agency. CTF is well-established as the state's lead agency in child abuse prevention since it has been designated to receive the federal funding stream for prevention for the past 12 years.

**OPPONENTS
SAY:**

CTF and its child abuse prevention functions should be transferred to the Community Initiatives Program Division of PRS, where the majority of the state's child abuse prevention efforts are already placed. This transfer could expand the statewide prevention efforts towards child abuse and neglect.

Operating CTF or its functions through the Community Initiatives Division at PRS would offer several advantages. PRS has the resources to provide prevention services statewide that could improve local delivery of services. Although residents of every county contribute to the Children's Trust Fund by paying the marriage license fee, most counties receive no benefit from CTF prevention programs. CTF's Family PRIDE councils may compete with other local organizations, such as the United Way and local Child Welfare Boards, for resources and attention devoted to child abuse prevention.

PRS also has the staff and expertise to maximize dollars and expand prevention services. The merging of CTF into PRS would provide a single point of accountability for the delivery of child abuse and neglect prevention services. Also, streamlining prevention programs could result in some

administrative savings.

Receiving a grant from PRS would not attach any stigma. CTF provides grants to community groups, which then provide services to the community. The community groups are in no way connected, in the client's perspective, to the funding agency. If PRS were the grant-providing agency, the community would see little connection between the program provider and PRS, just as they currently see little connection between CTF and community providers.