

SUBJECT: Requiring monthly reports of certain activity of DFPS

COMMITTEE: Human Services — committee substitute recommended

VOTE: 7 ayes — Frank, Hinojosa, Hull, Klick, Meza, Noble, Shaheen
0 nays
2 absent — Neave, Rose

SENATE VOTE: On final passage, April 23 — 31-0, on Local and Uncontested Calendar

WITNESSES: For — Kerrie Judice, TexProtects; (*Registered, but did not testify*: Lisa Harst, Children's Advocacy Centers of Texas; Kate Murphy, Texans Care For Children; Hope Osborn, Texas 2036; Lauren Rose, Texas Network of Youth Services; Molly Weiner, United Ways of Texas; Michelle Wittenburg, Upbring and Texprotects; Thomas Parkinson)

Against — None

On — (*Registered, but did not testify*: Nate Ezell, Department of Family and Protective Services)

BACKGROUND: Family Code sec. 264.017 requires the Department of Family and Protective Services (DFPS) to prepare and disseminate a report of statistics by county relating to key performance measures and data elements for child protection. The report must be provided to the Legislature and published and made available electronically to the public by February 1 of each year.

It has been noted that frequently updated and easily accessible information helps community providers offer relevant support to keep foster and biological families safely together and to end the cycle of abuse and neglect. There have been calls to require DFPS to provide additional and more timely reporting by publishing monthly reports of certain activity in addition to the annual data reports required by current law.

DIGEST: CSSB 1079 would require the Department of Family and Protective Services (DFPS) to publish a monthly report, in addition to the department's required yearly report, containing specified information with respect to statewide intake, child protective investigations, family-based safety services, conservatorship services, residential child-care licensing, and parental child safety placement agreements for the previous month.

Statewide intake. DFPS would have to report certain information related to statewide intake, including:

- the number of child abuse, neglect, or exploitation reports received sorted by the source of the report;
- the number of child abuse, neglect, or exploitation reports that met the statutory definition of child abuse, neglect, or exploitation that were referred for investigation sorted as specified by the bill;
- the average time to process an electronic report of child abuse, neglect, or exploitation;
- the average hold time for calls to the abuse hotline and the percentage of calls that were abandoned before the caller spoke with a person; and
- the number of calls received by the Texas Youth Helpline regarding runaway youth.

Child protective investigations. DFPS would have to include in the monthly reports required by the bill:

- the total number of cases opened, cases completed and closed, cases opened at residential child-care facilities, and cases for which the determination was changed after an administrative review, as specified by the bill;
- the average number of days to close a case;
- the total percentage of cases assigned the highest and second highest priorities and for which investigations were started within the time required under applicable law; and
- the percentage of alleged victims in investigations that were closed

without providing services for which, within 12 months of the date the case was closed, DFPS confirmed another allegation of abuse, neglect, or exploitation or opened another stage for services.

Family-based safety services. Monthly reports required under the bill would have to include certain information related to family-based safety services, including:

- the total number of cases opened and closed;
- the average number of days to close a case;
- the percentage of cases in which a child was eventually removed from the child's home; and
- the percentage of cases which were closed without providing further services for which, within 12 months of the date the case was closed, DFPS confirmed another allegation of abuse, neglect, or exploitation against the child or opened another stage for services.

Conservatorship services. DFPS also would have to include certain information related to conservatorship services in the monthly reports, including:

- the total number of children removed from their home;
- the total number of children who exited from the managing conservatorship of DFPS;
- the average number of months a child remained in the managing conservatorship of DFPS and the average number of placements a child had while in such managing conservatorship;
- the percentage of sibling groups placed with the same foster family;
- the percentage of youth who had aged out of foster care and completed the Preparation for Adult Living Program; and
- the percentage of youth who exited from the managing conservatorship of DFPS to a permanent placement;
- the percentage of children who were adopted within 12 months of

- the date their parent's parental rights were terminated;
- the percentage of children in the managing conservatorship of DFPS for longer than two years who achieved permanency;
 - the percentage of children who were returned to their parents and for whom, within 12 months of the date the case was closed, DFPS confirmed another allegation of abuse, neglect, or exploitation against the child or opened another stage for services;
 - the percentage of children in the managing conservatorship of DFPS who were placed with a relative caregiver; and
 - the percentage of children in foster care placed in each county in Texas.

Residential child-care licensing. The bill would require DFPS to include in the required monthly reports:

- the percentage of investigations in which DFPS made a high risk finding;
- the percentage of child-care facilities with no recent violations;
- the number of illegal operations identified, resolved, and pending; and
- the number of validated allegations of child abuse, neglect, or exploitation in child-care facilities.

Parental child safety placement agreements. The monthly reports required by the bill also would have to include:

- the number of children placed under a parental child safety placement (PCSP) agreement;
- the average duration of a placement under a PCSP agreement and the average duration of such a placement during an investigation; and
- the percentage of children removed from a placement under a PCSP agreement and placed in the managing conservatorship of DFPS.

Other provisions. DFPS would have to provide each required monthly report to the Legislature, publish the report, and make it electronically available to the public by the 30th day after the end of the month for which the report was made.

DFPS could contract with a third party for assistance with collecting, analyzing, and reporting the required data. The third party would have to be a Texas-based university, be independent of DFPS, and have demonstrated expertise in statistical, financial, actuarial, logistical, and operational analysis.

The bill would take effect September 1, 2021.