

SUBJECT:	Requiring DFPS to develop a training program for investigators
COMMITTEE:	Human Services — committee substitute recommended
VOTE:	8 ayes — Frank, Rose, Campos, Klick, Manuel, Noble, Ramos, Shaheen  1 nay — Hull
WITNESSES:	For — Andrew Brown, Texas Public Policy Foundation ( <i>Registered, but did not testify</i> : Thomas Parkinson; Susan Stewart)  Against — None  On — ( <i>Registered, but did not testify</i> : Jerome Green, Cecilia Ojeda, DFPS)
BACKGROUND:	Concerns have been raised that there are inconsistencies in certain trainings for investigators at the Department of Family and Protective Services (DFPS), which could impact the quality of investigations.
DIGEST:	CSHB 1289 would require the Department of Family and Protective Services (DFPS) to develop a training program for each person who investigates any instance of suspected child abuse or neglect as well as their investigative supervisors. The training program would include: <ul style="list-style-type: none"><li>• the statutory definitions of abuse and neglect;</li><li>• certain procedures, requirements, and standards related to investigations;</li><li>• certain required notices to alleged perpetrators regarding their rights;</li><li>• procedures related to relative or other designated caregiver placements;</li><li>• the required provision of information on investigation procedures and child placement resources;</li><li>• procedures for defining, identifying, and supporting protective</li></ul>

- capabilities of youths 13 years old or older; and
- information on available community resources for a child's identified risk factors to avoid delay in referrals for services and to resources.

The training program would be required to provide DFPS advanced training on certain investigative techniques and protocols. DFPS would be required to administer an examination to each investigator and investigative supervisor to test the individual's knowledge and competency of the information provided in the training program. An investigator or investigative supervisor could not be assigned to investigate or supervise the investigation of any case until the individual successfully completed the training program and passed the examination.

In developing and implementing the training program, DFPS would be required to encourage professionalism, procedural standardization, and investigative disposition accuracy in the investigations of suspected child abuse or neglect. DFPS also would collaborate with the Department of Public Safety and other appropriate professionals to develop and implement the training program.

As soon as practicable after the effective date, the DFPS commissioner would adopt rules necessary to implement the bill. The bill would apply only to investigations assigned to investigators or investigative supervisors on or after January 1, 2025.

The bill would take effect September 1, 2023.

NOTES:

According to the Legislative Budget Board, the fiscal implications of HB 1289 could not be determined due to the unknown cost of providing a new training program to all current and new investigators and investigative supervisors.