

BILL ANALYSIS

Senate Research Center

S.B. 543
By: Barrientos
Health & Human Services
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As Filed

DIGEST

Currently, the commissioner of health and human services (commissioner) does not have the authority to establish certain caseload standards for each category of caseworkers employed by the Department of Human Services (DHS) or the Department of Protective and Regulatory Services (DPRS). DHS and DPRS have recently experienced increasing strain and pressure due to the rise in the number of persons who are eligible for services and reports for investigation. Questions have been raised concerning whether the workload borne by caseworkers is too high to allow them to do an adequate job. This bill sets forth the establishment of caseload standards advisory committees (committee) to advise and to make recommendations to the commissioner relating to the establishment of caseload standards for the caseworkers. Additionally, this bill would authorize the commissioner to establish caseload standards for the caseworkers in light of a committee's recommendations.

PURPOSE

As proposed, S.B. 543 sets forth the establishment of caseload standards advisory committees for the Department of Human Services and the Department of Protective and Regulatory Services to advise and make recommendations to the commissioner of health and human services relating to the establishment of caseload standards.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the commissioner of health and human services in SECTION 2 (Sec. 531.047, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 531.001, Government Code, to define "caseload standards" and "professional caseload standards." Makes conforming changes.

SECTION 2. Amends Chapter 531B, Government Code, by adding Section 531.047, as follows:

Sec. 531.047. CASELOAD STANDARDS. Authorizes the commissioner of health and human services (commissioner) to establish certain caseload standards for each category of caseworker employed by the Department of Human Services (DHS) or the Department of Protective and Regulatory Services (DPRS) after considering the recommendations of the caseload standards advisory committees under Section 531.048(e). Sets forth the required conditions of the caseload standards established under this section. Requires the commissioner and the executive director of DPRS to use the established standards to determine the number of personnel to assign as caseworkers for their respective agencies. Requires DHS and DPRS to use the established standards to assign caseloads to individual caseworkers employed by those agencies. Requires the commissioner to include a recommendation made by a caseload standards advisory committee under Section 531.048(e) in the strategic plan of the agency that is the subject of the recommendation. Provides that nothing in this section creates a cause of action.

SECTION 3. Amends Chapter 531B, Government Code, by adding Section 531.048, as follows:

Sec. 531.048. CASELOAD STANDARDS ADVISORY COMMITTEES. Provides that a

caseload standards advisory committee (committee) is established in DPRS and DHS. Sets forth the required composition of a committee. Requires the commissioner to make appointments to a committee from a list submitted by the commissioner or the executive director of the agency in which the committee is established. Provides that members of a committee serve at the pleasure of the commissioner. Sets forth the required duties of each committee. Requires the commissioner to dissolve a committee if the commissioner determines that the committee is no longer needed to develop and implement the standards required under Section 531.047(a). Provides that a committee is subject to Article 6252-33, V.T.C.S. Provides that nothing in this section creates a cause of action.

SECTION 4. Requires a committee to make its recommendations under Section 531.048(e), Government Code, as added by this Act, no later than March 1, 1998. Requires the commissioner to adopt rules prescribing the standards required by Section 531.047(a), Government Code, as added by this Act, no later than September 1, 1999.

SECTION 5. Effective date: September 1, 1997.

SECTION 6. Emergency clause.