



TexProtects, The Texas Association for the Protection of Children

September 20, 2010

Legislative Priorities

82nd Legislative Session

BUDGET PRIORITIES

1. **NFP Funding:** Maintain full funding of \$17.8 million for Nurse-Family Partnership program administered by HHSC.
2. **Federal Home Visitation Dollars:** Ensure HHSC applies for home visitation funding provided in the Maternal, Infant and Early Childhood Visiting Program included in the Affordable Care Act of 2010 for a potential \$6.9 million in 2010 and additional funding through 2015.
3. **PEI Funding and Growth:** Maintain full funding for the Prevention and Early Intervention division of the Department of Family and Protective Services.
 - In response to a requested 10% budget cut proposal DFPS has submitted a proposal that will decimate the PEI division by an 84% reduction or \$73.6 million leaving a budget of \$6.5 million per year vs. the total DFPS budget of \$1.3 Billion per year.
 - Support DFPS Exception Item seeking a 10% funding increase for PEI.
4. **Maintain CPS caseworker caseloads and workloads:** Support all DFPS Exceptional Items that address the maintenance of current level of direct delivery staff and caseloads.
 - Maintain FY10-11 funding for CPS direct delivery staff - restore ARRA TANF. \$48.0 million GR. 565.0 FTES
 - Annualization of phased-in staff. \$3.7 million GR. 44.5 FTES
 - Maintain current caseloads per worker. \$69.8 million GR. 697.1 FTES for FY12; 706.8 FTES for FY13.
5. **Add Child Safety Specialists (CSS)** to review FBSS cases prior to closure where children/families are at high risk of recidivism given the spike in recent deaths of children in FBSS and the increased growth of FBSS families and caseloads.¹ (DFPS Excep. Item)
 - \$1.4 million GR for 11 new Child Safety Specialists for the FBSS stage of service.
 - Currently mandated for use in the investigation stage, these positions are filled by tenured employees who are able to focus solely on the safety issues for each case meeting the criteria for review prior to case closure.
 - Research has shown the positive impact on client outcomes provided by a Child Safety Specialist review.
6. **Retain Quality Caseworkers by rewarding quality casework:** Institute a substantive merit pay program for frontline CPS caseworkers, Supervisors and Program Directors to save turnover costs and increase child permanency and stability. \$4.2 million

¹ In 2006 the average daily number of FBSS cases was 7,514, in 2008 it was 9,427 and in June of 2010 it was 13,762.

POLICY PRIORITIES

- 1. Prevention and Training for All Types of Child Maltreatment:** Current Texas law based on HB 1041 (81R) regarding school district sexual child abuse policy should be expanded to:
 - Include training on the *prevention* of child sexual abuse *as well as* of all forms of child abuse;
 - Specify that the training should be evidence based and emphasizes programs that provide curriculum where adults take responsibility for prevention;
 - Include charter schools and child care facilities;
 - Include language that the training programs can be obtained at no costs; and
 - Require that records of attendance be maintained.

- 2. Safe Havens for Infants:**
 - Expand “Baby Moses” age limits for placing a child in a safe haven vs. abandonment / infanticide from current 60 days post birth to 12 months post birth. While improved daycare, respite care and other supports are necessary, the Baby Moses provision allows mothers experiencing extended post-partum depression and/or experiencing delayed-onset post-partum depression a last-resort opportunity to relinquish their child safely.
 - Raise awareness of the “Baby Moses” law by adding information to the “Resource Pamphlet and Resource Guide” provided to parents of newborn children(HB1240 (81R)).

- 3. SB 218 - Removal of the Perpetrator:** Revamp the removal of the perpetrator provision contained in Chapter 262 of the Family Code in order to strengthen the provision and increase its usage thus keeping more children in their homes when a protective caregiver is present.
 - Convert restraining order to a protective order.
 - Increase training on perpetrator removal option in CPS Basic Skill Development training and include in certification training.

- 4. Child Witnessing Domestic Violence:** Enhance the penalty for a felony offense of domestic/family violence that was committed in the physical presence or hearing of a child under the age of 16. This takes into account that a child witnessing domestic violence is a form of child maltreatment.

- 5. SB 219 - Trauma-Informed Care Training -** Expand statute on Trauma-Informed Care to mandate training for all caregivers of abused children with minimum 15 hrs recommended by the National Child Traumatic Stress Network (Fostering Connections / HB1151 (81R)).
 - Ensure that the STAR 24-hour support line employs counselors trained in trauma informed care and that the hotline number is widely disseminated to all foster/adopt/kinship providers.
 - Ensure there is an option for the training to be funded by private foundations and/or organizations certified in Trauma-Informed Care.

6. **SB 219 - Reduce Misdiagnosis of ADHD in Abused Children:** Improve Training for medical professionals treating abused children on overlapping diagnostic criteria of complex PTSD vs. ADHD training: Include testing requirement for Complex PTSD before prescribing stimulants for traumatized children to avert unintentional outcomes.
7. **SB 218 - Improve Child Well-Being in Foster Care:** Restructure Reimbursement Level of Care System to reward improvements in child’s well being vs. current perverse incentives to keep child “unwell” in costly intensive care and perverse incentives to move child to a more restrictive, more costly placement.
8. **Address Caseworker Turnover:** Reduce CPS caseworker turnover, enhance productivity, and quality of caseworkers with improved selective retention policy.
 - Redesign CPS Performance Measures to more meaningful measures of child well being and incentivize improved outcomes opposed to “output” measures such as number of children served. Include performance measures and caseworker incentives to do what is in the child’s best interests in a more timely fashion.
9. **Records Retention to Ensure Placement Safety:** Extend maintenance of virtual CPS records on RTB “Reason to Believe” without removal, UTD “Unable to Determine”, MOV “Moved” and UTC “Unable to Complete” cases in order to ensure safe kinship placements with former CPS clients, especially grandparents whose records have been purged from the system.
10. **Child Safety Placement:** Establish statutory guidelines for what a Parental Child Safety Placement Plan must contain (fka Voluntary Placements) so that children are not left in dangerous, unsupervised relative placements.
11. **Child Abuse Reporting:** Require institutions such as schools, charter schools, child care facilities and other state licensed organizations who have direct contact with children to:
 - Adopt and implement written policies consistent with the state mandatory reporting law, ensuring that professionals suspecting abuse make a direct report to DFPS and
 - Provide training to mandatory reporters on recognizing and reporting suspected child abuse.

For additional information contact:

Madeline McClure // Executive Director or Diana Martinez // Director of Public Policy
TexProtects, The Texas Association for the Protection of Children
madeline@texprotects.org // 214-442-1674 diana@texprotects.org // 512-423-3168