



Texas Department of
Family and Protective Services

Legislative Appropriations Request for FY 2022-23 Joint Budget Hearing

Presented to the Governor's Office of Budget and the Legislative Budget
Board

November 5, 2020

David Kinsey, Chief Financial Officer



- I. DFPS Mission, Vision and Values
 - II. Core Functions
 - III. FY20-21 Accomplishments
 - IV. FY 2021 Critical Budget Issues
 - V. FY 2022-23 Key Budget Drivers
 - VI. FY 2022-23 Summary of Request
 - VII. Summary of Exceptional Items
 - VIII. Detail of Exceptional Items
-



DFPS Mission, Vision, and Values

DFPS Mission

We promote safe and healthy families and protect children and vulnerable adults from abuse, neglect, and exploitation.

DFPS Vision

Improving the lives of those we serve.

DFPS Values

Accountable: *We act with a sense of urgency to deliver results in an accountable, ethical, and transparent manner.*

Respectful: *We recognize the value of each person and act timely, value privacy, and treat all with respect.*

Diverse: *We promote diversity, inclusion, and equality by honoring individual differences.*

Collaborative: *Whether through our staff or contractors, we work in partnership with clients, families, and communities to ensure our mutual success.*

Professional: *We value our staff and strive for excellence while being professional, passionate, and innovative.*

- **Statewide Intake (SWI)** operates 24 hours a day, seven days a week, as the centralized point of intake for reporting suspected incidents of abuse, neglect, and exploitation and child care licensing standards violations.
 - **Child Protective Investigations (CPI)** investigates reports of abuse and neglect and ensures the immediate safety of children.
 - **Child Protective Services (CPS)** protects children by working with families to prevent abuse and neglect, by placing children in substitute care when they are not safe in their own homes, and by providing services to achieve permanency.
 - **Adult Protective Services (APS)** protects adults living in their own homes who have disabilities or who are 65 years old or older by investigating reports of abuse, neglect, and exploitation and providing short-term services.
 - **Prevention and Early Intervention (PEI)** contracts with and manages community-based programs aimed to prevent abuse and neglect of Texas children prior to CPI or CPS involvement.
-

2020-21 Selected Accomplishments

Investments by the Legislature last session contributed to significant improvements in DFPS programs and operations across the state in the current biennium including:

- APS caseworker turnover has decreased by 19.4 percent, from 23.6 percent in July 2018 to 19 percent in July 2020. APS cases per worker are also down.
 - SWI frontline worker turnover has decreased by 61 percent, from 16.2 percent in July 2018 to 6.3 percent in July 2020, with average hold times also decreasing.
 - Expansion of Community Based Care continues to proceed successfully. For example, in March and June of 2020, Regions 3B and 2, respectively, expanded into Stage II despite the challenges of COVID-19 and Region 1 began serving children and families in Stage I in January 2020. As of August 2020, CBC is serving 6,201 children, approximately 20% of children in conservatorship in Texas.
 - The average daily caseload for conservatorship workers decreased from 17.8 children per worker in August 2019 to 15.9 in August 2020 – a decline of 11 percent.
 - Child Protective Investigations cases per worker decreased from 12.7 in July 2018 to 10.1 in July 2020.
 - DFPS' Prevention and Early Intervention program increased Healthy Outcomes through Prevention and Early Support services into four new counties as well as hiring nine additional nurses to expand TNFP services and add coverage in four new counties.
-

FY 2021 Critical Budget Issues

FY 2021 Child Protective Services Entitlement Needs: \$19.1 million GR

- Net Projected deficit of \$19.1 million in GR for the following entitlement programs:
 - Foster Care: \$27.0 million GR deficit
 - Adoption Subsidy/Permanency Care Assistance: \$7.9 million GR surplus

FY 2021 CPS Other Client Service Needs: \$14.2 million GR

- Projected deficit of \$14.2 million GR in the 3 purchased client services strategies.
 - Adoption Purchased Services: \$2.4 million
 - Substance Abuse Purchased Services: \$5.8 million
 - Other CPS Purchased Services: \$6.0 million
- Estimated need could be covered with transfer of existing appropriations in FY 2021

Foster Care Lawsuit: \$9.8 million GR

- Projected need of \$9.8 million for ongoing payments to court monitors (DFPS portion only)
 - Costs estimated at \$1.0 million per month with DFPS covering 82% of the cost

Total FY2021 Estimated GR Need: \$43.1 million

FY 2022-23 Key Budget Drivers

Current Service Funding

- Full 2 years funding for Community Based Care rollouts in the current biennium.
- Caseworker request limited to projected growth in Conservatorship stage. No increased staffing is requested for other CPS stages, CPI, APS or SWI.
- Substance Abuse, Adoption Assistance and Other purchased client services requested at FY2021 levels with no growth in FY22-23 above FY21 projected spending.

Foster Care Lawsuit Compliance

- Exceptional item reflects only current requirements to comply with remedial orders. Item may be updated based on further court direction.

Client Services

- Adoption Subsidies and Permanency Care Assistance caseloads are projected to grow 4.0% in FY 2022 and 3.5% in FY 2023 above FY 2021.
 - Foster Care spending is projected to increase by 4.0%, including increased costs for 24 hour awake supervision. There will be an increased need for General Revenue to offset the inability to draw Title IV-E for congregate care settings. Caseloads are relatively flat.
 - Foster Care rate study required by Special Provisions Sec. 32 to be completed in early February. Recommended methodology changes to be considered at that time.
-



FY 2022-23 Summary of Request

All \$ figures in millions

DFPS Goal	FY 20-21 Est/Bud	FY 22-23 Base Request	FY 22-23 Exceptional Items	FY 22-23 Total Request	FY 22-23 Total Request %
Goal 1 Statewide Intake Services	50.1	59.0	0.8	59.8	1.3%
Goal 2 Child Protective Services	3,763.7	3,802.7	174.4	3,977.2	85.6%
Goal 3 Prevention Programs	215.7	219.1	9.9	229.0	4.9%
Goal 4 Adult Protective Services	140.3	140.2	-	140.2	3.0%
Goal 5 Indirect Administration	178.0	175.9	6.2	182.1	3.9%
Goal 6 Agency-wide Automated Systems	54.6	57.9	1.1	59.0	1.3%
Total Agency Request	\$4,402.4	\$4,454.8	\$192.4	\$4,647.3	100%
General Revenue	2,527.6	2,621.8	183.1	2,804.8	60.4%
General Revenue - Dedicated	11.4	6.6	-	6.6	0.1%
Federal Funds	1,848.0	1,812.0	9.4	1,821.3	39.2%
Other Funds	15.5	14.5	-	14.5	0.3%
Total Agency Method of Finance	\$4,402.4	\$4,454.8	\$192.4	\$4,647.3	100%

DFPS Goal	FY 22-23 Base Request FTEs	FY 22 Exceptional Item FTEs	FY 23 Exceptional Item FTEs	FY 22 Total Request	FY 23 Total Request
Goal 1 Statewide Intake Services	483.8	6.0	6.0	489.8	489.8
Goal 2 Child Protective Services	10,191.6	331.0	367.0	10,522.6	10,558.6
Goal 3 Prevention Programs	67.1	4.0	4.0	71.1	71.1
Goal 4 Adult Protective Services	849.0	-	-	849.0	849.0
Goal 5 Indirect Administration	801.1	20.1	24.0	821.2	825.1
Goal 6 Agencywide Automated Systems	-	-	-	-	-
Total Agency Request	12,392.5	361.1	401.0	12,753.6	12,793.5



Summary of Exceptional Items

Exceptional Item	FY 2022 GR/GRD	FY 2022 All Funds	FY 2023 GR/GRD	FY 2023 All Funds	Biennial GR/GRD	Biennial All Funds	FY 2022 FTE	FY2023 FTE
01 Sustain Child Protective Services	46,167,791	49,000,811	47,196,625	50,136,891	93,364,416	99,137,702	204.1	232.0
a. Sustain FY 2021 Travel Costs	4,206,774	4,652,687	4,206,773	4,652,687	8,413,547	9,305,374	-	-
b. Sustain Community Based Care FY 2021 Catchment Areas	14,264,985	15,247,444	14,264,992	15,247,445	28,529,977	30,494,889	-	-
c. Sustain Purchased Client Services at FY 2021 Levels	14,208,471	14,209,961	14,208,471	14,209,961	28,416,942	28,419,922	-	-
d. Conservatorship Staff to Meet GAA Targets	13,487,561	14,890,719	14,516,389	16,026,798	28,003,950	30,917,517	204.1	232.0
02 Comply with Federal Court Orders in MD Lawsuit	18,892,782	19,534,810	18,815,533	19,455,988	37,708,315	38,990,798	123.0	123.0
a. Heightened Monitoring	7,609,101	8,244,640	7,609,101	8,244,640	15,218,202	16,489,280	103.0	103.0
b. Residential Child Care Investigations Staffing	1,443,681	1,450,170	1,366,432	1,371,348	2,810,113	2,821,518	20.0	20.0
c. Court Monitor Fees	9,840,000	9,840,000	9,840,000	9,840,000	19,680,000	19,680,000	-	-
03 Expand Community Based Care	15,269,699	15,972,453	26,680,319	28,332,137	41,950,018	44,304,590	30.0	42.0
a. Start Up	6,736,597	6,736,597	1,994,000	1,994,000	8,730,597	8,730,597	-	-
b. Network Support	1,089,565	1,089,565	7,717,125	7,717,125	8,806,690	8,806,690	-	-
c. Child and Adolescent Needs and Strengths (CANS) Assessment	-	-	223,958	223,958	223,958	223,958	-	-
d. Additional Amount Above Resource Transfer	2,374,708	2,626,424	6,353,003	7,026,415	8,727,711	9,652,839	30.0	42.0
e. Infrastructure and Oversight	2,483,956	2,739,223	3,295,541	3,636,800	5,779,497	6,376,023	-	-
f. RMTS Costs/Evaluations	400,000	400,000	50,000	50,000	450,000	450,000	-	-
g. ERS Benefits Related to Resource Transfer	1,847,140	2,042,911	6,013,096	6,650,243	7,860,236	8,693,154	-	-
h. HHSC/DSHS Costs Related to Assessment Shift	337,733	337,733	1,033,596	1,033,596	1,371,329	1,371,329	-	-
04 Expand Prevention Services	5,000,000	5,000,000	5,000,000	5,000,000	10,000,000	10,000,000	4.0	4.0
a. STAR (Family Youth and Success Program)	1,937,717	1,937,717	1,948,587	1,948,587	3,886,304	3,886,304	-	-
b. Healthy Outcomes through Prevention and Early Support (HOPES)	2,137,721	2,137,721	2,148,591	2,148,591	4,286,312	4,286,312	-	-
c. Prevention Services for Military and Veteran Families	500,000	500,000	500,000	500,000	1,000,000	1,000,000	-	-
d. Staffing Support	424,562	424,562	402,822	402,822	827,384	827,384	4.0	4.0
05 Implement Family First Prevention Services Act (FFPSA)								
a. Placeholder for expansion of FFPSA prevention services	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Grand Total	85,330,272	89,508,074	97,692,477	102,925,016	183,022,749	192,433,090	361.1	401.0

#1 Sustain Child Protective Services

1a. Sustain FY 2021 Travel Costs: \$8.4M GR / \$9.3M AF for the biennium

- DFPS requests a partial restoration of the travel budget that was part of the 5% general revenue reduction.

1b. Sustain CBC FY 2021 Catchment Areas: \$28.5M GR / \$30.5 AF for the biennium

- DFPS requests funding to sustain a full 12 months of current Community-based Care catchment areas and stages.

1c. Sustain Purchased Client Services at FY 2021 Levels: \$28.4M GR/AF for the biennium

- DFPS requests funding to meet the demand for client services in 02-01-04 Adoption Purchased Services, 02-01-07 Substance Abuse Purchased Services, 02-01-08 Other Purchased Child Protective Services.

1d. Conservatorship Staff to Meet GAA Targets: \$28.0M GR / \$30.9M AF for the biennium

- DFPS Requests additional conservatorship caseworkers and support staff to maintain workload levels.
 - 123.0/141.0 Caseworker staff
 - 60.0/67.0 Support Staff

(\$ in Millions)	FY 2022	FY 2023	Biennium
General Revenue (GR)	\$46.2	\$47.2	\$93.4
All Funds (AF)	\$49.0	\$50.1	\$99.1
FTEs	204.1	232.0	

FY 2021 Appropriation Target

CVS Children per Worker	16.2
-------------------------	------

#2 Comply with Federal Court Orders in MD Lawsuit

2a. Heightened Monitoring: \$15.3M GR / \$16.5 AF for the biennium

- DFPS has identified a staffing need in three areas to meet the heightened monitoring requirements of Remedial Order 20:
 - Facility Intervention Team Staffing (FITS)
 - Response to FITS
 - Child Safety Response

(\$ in Millions)	FY 2022	FY 2023	Biennium
General Revenue (GR)	\$18.9	\$18.8	\$37.8
All Funds (AF)	\$19.5	\$19.5	\$39.0
FTEs	123.0	123.0	

2b. Residential Child Care Investigations Staffing: \$2.8M GR/AF for the biennium

- To comply with Remedial Orders 3, 5, 7, and 10, the agency requires 20.0 FTEs (12.0 Investigators and 8.0 support staff) to support an anticipated increase in investigations once certain downgrades are eliminated; to conduct high risk/high profile, complex investigations and to address overdue, abandoned and/or vacant caseloads, regional spikes and backlogs, as needed; and to evaluate the quality of investigations to inform staff development, policy improvements, and training needs.

2c. Court Monitor Fees: \$19.7M GR / AF for the biennium

- DFPS requests funds for costs associated with the special monitors assigned by the court. This represents 82% of the estimated cost. DFPS pays 82% of the estimated cost. HHSC pays the remaining 18% of the cost.
- DFPS expects the monitors to continue the FY 2020-21 level of billing throughout the 2022-23 biennium.

#3 Expand Community-Based Care

DFPS requests funding to continue the statewide rollout of Community Based Care.

- Funding requested in this exceptional item assumes expansion to 4 new catchment areas and progression to Stage II in 2 existing catchment areas.

(\$ in Millions)	FY 2022	FY 2023	Biennium
General Revenue (GR)	\$15.3	\$26.7	\$42.0
All Funds (AF)	\$16.0	\$28.3	\$44.3
FTEs	30.0	42.0	

- This exceptional item includes start-up costs, network support payments, Child and Adolescent Needs and Strengths (CANS) assessments for children receiving therapeutic foster care under the CBC model additional case management funding, and DFPS staff for implementation and oversight activities.
- The request includes funding for the development of a random moment time study to meet federal funding requirements.
- Includes ERS benefits which are part of the resource transfer. This would be offset by a reduction to the ERS appropriation.

#4 Expand Prevention and Early Intervention Services

DFPS requests funding to support the expansion of its already established STAR Program (now called Family and Youth Success Program), Military Families Program, and Healthy Outcomes through Prevention and Early Support Program (HOPES).

- DFPS Prevention and Early Intervention (PEI) was directed, through HB 1549 (85R), to expand prevention programming. The expansion are consistent with PEI’s strategic plan and the direction from HB 1549.
- This request also includes funding for an additional 4.0 FTEs to provide contract management support.
- It currently costs \$1,486 each month to provide basic foster care services to a child. The following outlines the annual cost per youth/family served by PEI funded programs: STAR \$943.62, Military \$907.83 and HOPES \$3,009.36. These numbers indicate PEI is a cost-effective alternative to foster care by preventing maltreatment before a child is abused, neglected or separated from their family.

(\$ in Millions)	FY 2022	FY 2023	Biennium
General Revenue (GR)	\$5.0	\$5.0	\$10.0
All Funds (AF)	\$5.0	\$5.0	\$10.0
FTEs	4.0	4.0	

Additional Clients Served (Average Monthly)

Program	2022	2023
	Exceptional Item	Exceptional Item
STAR	1,192	1,192
Military Families	275	275
HOPES	358	358

#5 Implement Family First Prevention Services Act (FFPSA)

This item is a placeholder for additional funding and FTEs to expand prevention services under the federal Family First Prevention Services Act (FFPSA).

(\$ in Millions)	FY 2022	FY 2023	Biennium
General Revenue (GR)	\$ -	\$ -	\$ -
All Funds (AF)	\$ -	\$ -	\$ -
FTEs	-	-	

The DFPS FFPSA Strategic Plan provides options to expand evidence-based prevention services which will be considered during the 87th legislative session.