



Texas Department of
Family and Protective Services

DFPS Legislative Update 86th Legislature

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Overview of Filed Bills

- House Bills Filed: 5,098
- Senate Bills Filed: 2,697
- Bills Tracked by DFPS: 794
- Request for Cost Estimates: 239

House Bill 1 – General Appropriations Act

- Adult Protective Services (APS)
 - Caseworker and supervisor salary increases.
 - Additional staff to address caseloads.
 - Statewide Intake (SWI)
 - Frontline staff salary increases.
 - Community-based Care (CBC)
 - Funding to expand CBC in stage 1 to a total of 5 areas and stage II to 3 of those areas. Funding includes:
 - Start-up costs
 - Network support
 - Additional case management resources
 - CANS Assessment
 - DFPS implementation and oversight
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- Provider rate increases
 - Emergency Shelters
 - Supervised Independent Living
 - Child Placing Agency support costs
 - Child Protective Services (CPS)
 - Critical client services staff
 - Eligibility workers, human services technicians, and local permanency specialist
 - Preparation for Adult Living (PAL) specialists
 - Medical Services Well-Being staff
 - Supervised Independent Living case management services for children with complex needs who are living on their own.
 - Post Adoption/Post-Permanency Residential Treatment services for children with complex behavioral health needs.
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- Child Protective Investigations (CPI)
 - Additional staff for Child Care Investigations, Screener Staff, Child Safety Specialists, and Child Protective Investigation Risk Managers.
 - Prevention Early Intervention (PEI)
 - Increase for Healthy Outcomes through Prevention and Early Support (HOPES).
 - Increase for Texas Nurse-Family Partnership (TNFP)
 - Strengthening Agency Wide Operations
 - Contract oversight (including 18 new positions)
 - Quality legal representation (including 4 new positions)
 - Data and strategic systems support (including 3 new positions)
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Overview of Filed CPS Bills

- Enrolled Bills: 58
 - House Bills: 38
 - Senate Bills: 20

House Bill 53 by Representative Minjarez

- Revamps the Transitional Living Services Program's financial literacy education by requiring collaboration with the Office of Consumer Credit Commissioner and the State Securities Board.
- Adds several new topics to previously included program components including:
 - understanding the time requirements and process for filing federal taxes;
 - forms of identity & credit theft; and
 - using insurance to protect against the risk of financial loss.

House Bill 72 by Representative White

- Requires the Health and Human Services Commission to ensure that children with adoption assistance Medicaid or Permanency Care Assistance (PCA) Medicaid remain enrolled in STAR Health until the child is enrolled in another Medicaid managed care program and have continuity of care protected.
- Requires children who receive or have received SSI prior to receiving adoption assistance or PCA benefits to allow the adoptive parent or PCA conservator to elect to continue receiving Medicaid under STAR Health or STAR Kids.

House Bill 1884 by Representative Minjarez

- Ensures DFPS communicates to relative or other designated caregivers information regarding the option to pursue verification to become a foster parent and the heightened supports and benefits that may be available to those who choose that route.

House Bill 3390 by Representative Stanford

- Broadens the current DFPS relative and other designated caregiver program by:
 - expanding the definition of a "designated caregiver" to also include an individual with a longstanding and significant relationship to the family of a child that is in DFPS conservatorship;
 - directing attorneys ad litem, guardians ad litem, parents, and DFPS caseworkers throughout the child's case to ask the child in a developmentally appropriate manner if there is an adult, and specifically an adult who resides within the child's community, who could potentially be a designated caregiver for the child; and
 - requires the court at each hearing regarding the child's case to ensure the child has been given the opportunity to identify any such adult.

Senate Bill 355 by Senator West

- Requires DFPS to develop a strategic plan for coordinated implementation of community-based care (CBC) and foster care prevention services that meet the requirements of the Family First Prevention Act (FFPSA). DFPS will submit the plan to the Governor and key members of the legislature by September 1, 2020.
 - Requires DFPS to conduct a study and prepare a report for the legislature evaluating whether DFPS provides foster parents with adequate resources to ensure they are able to comply with all of the regulations relating to providing care for a child in DFPS conservatorship.
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CPS Key Bills cont.

Senate Bill 781 by Senator Kolkhorst

- Amends existing regulations and adds new regulations for general residential operations (GRO's) licensed by HHSC and requires DFPS to do the following:
 - establish a strategy to develop trauma-informed protocols to reduce the number of runaway incidents from a residential treatment center (RTC);
 - balance measures aimed at protecting child safety with federal and state requirements related to normalcy and decision making under the reasonable and prudent parent standard;
 - monitor and coordinate with GROs providing treatment services to children or youth with emotional disorders in order to improve the quality of services purchased by DFPS;
 - develop a strategic plan regarding the placement of children in settings eligible for federal financial participation under the requirements of the federal Family First Prevention Services Act (FFPSA); and
 - make available on the DFPS website information and training regarding trauma-informed practices to assist school districts with training district employees by increasing staff awareness of trauma-informed care.
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Senate Bill 195 by Senator Perry

- Requires DFPS to make changes in the next IMPACT update to collect the following data regarding children who test positive at birth for alcohol or a controlled substance:
 - the number of children reported to DFPS who tested positive for alcohol or a controlled substance;
 - the controlled substances for which the children tested positive;
 - the number of children who were removed who have a disability or chronic medical condition resulting from the presence of alcohol or controlled substances; and
 - the number of parents who test positive for a controlled substance during a DFPS investigation.

House Bill 883 by Representative Thierry

- Increases the award amount to up to three times the amount of actual damages in a civil action for Internet fraud when the victim is a senior citizen.
- Targets perpetrators of Internet fraud who take advantage of the elderly, many of whom are APS clients.

Senate Bill 1494 by Senator Paxton

- Permits current and former APS, CPS, and CPI caseworkers to choose to keep their home address confidential and not subject to release by a local appraisal district.
- Requires caseworkers to notify the local appraisal district of their choice.
- Adds current and former APS, CPS, and CPI caseworkers to the list of persons whose personal information is exempted from disclosure under the Public Information Act.
- Adds the same protections to caseworkers and investigators employed by DFPS contractors performing child or adult protection work.