



**181 People, 140 Days, and 6,083 Legislative Changes:**

**What you need to know about the  
2015 Legislative Session**

# TNOYS Legislative Priorities for 2015



- Protecting Prevention and Early Intervention
- Funding Foster Care Services
- Addressing Challenging Adolescent Behaviors Appropriately
- Ensuring Protections for Homeless Youth
- Preventing Re-Traumatization through Trauma Informed Care
- Supporting Youth through the Transition to Adulthood
- Working in Partnership with Youth



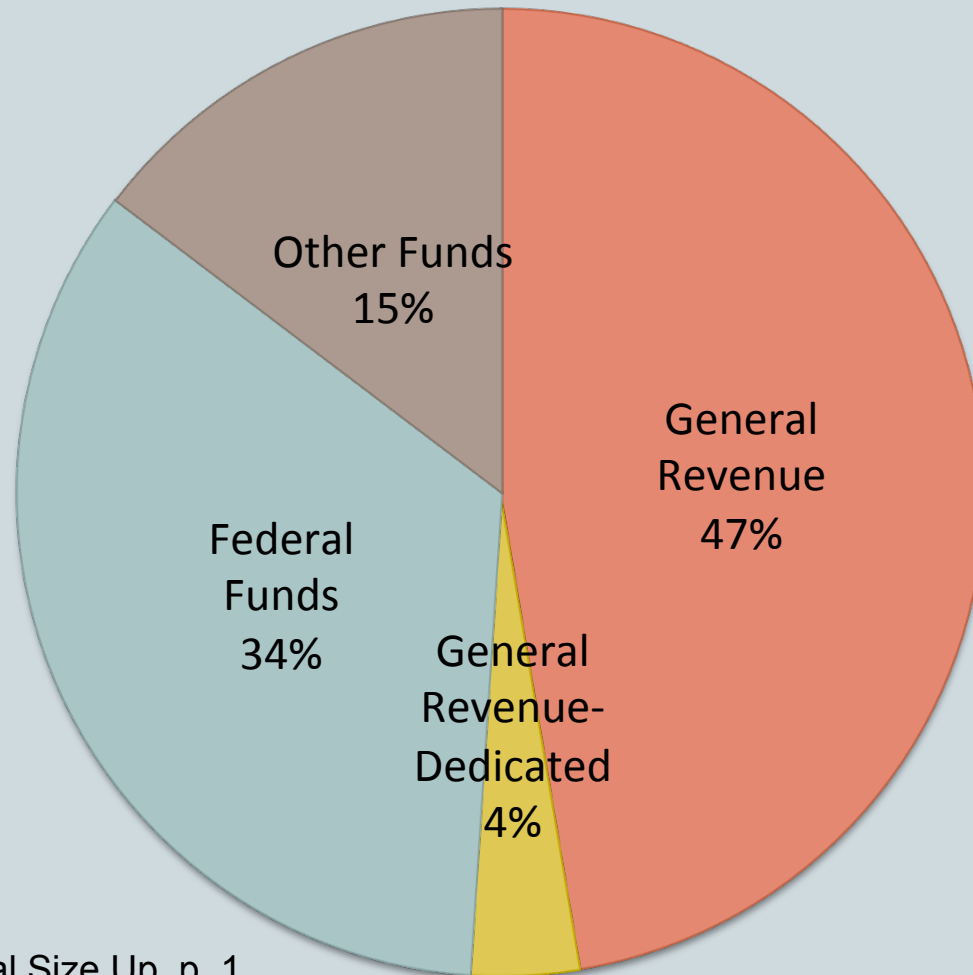
# Key Considerations During Legislative Session



- New elected state leaders who believe in limited government.
- Multiple controversial topics that detracted time and attention from child welfare issues.
- Texas' health and human services agencies under review by the Sunset Commission.
- HHSC's Commissioner was asked to resign amid contracting scandal.
- New leaders of the House Appropriations and the Senate Finance Committees.



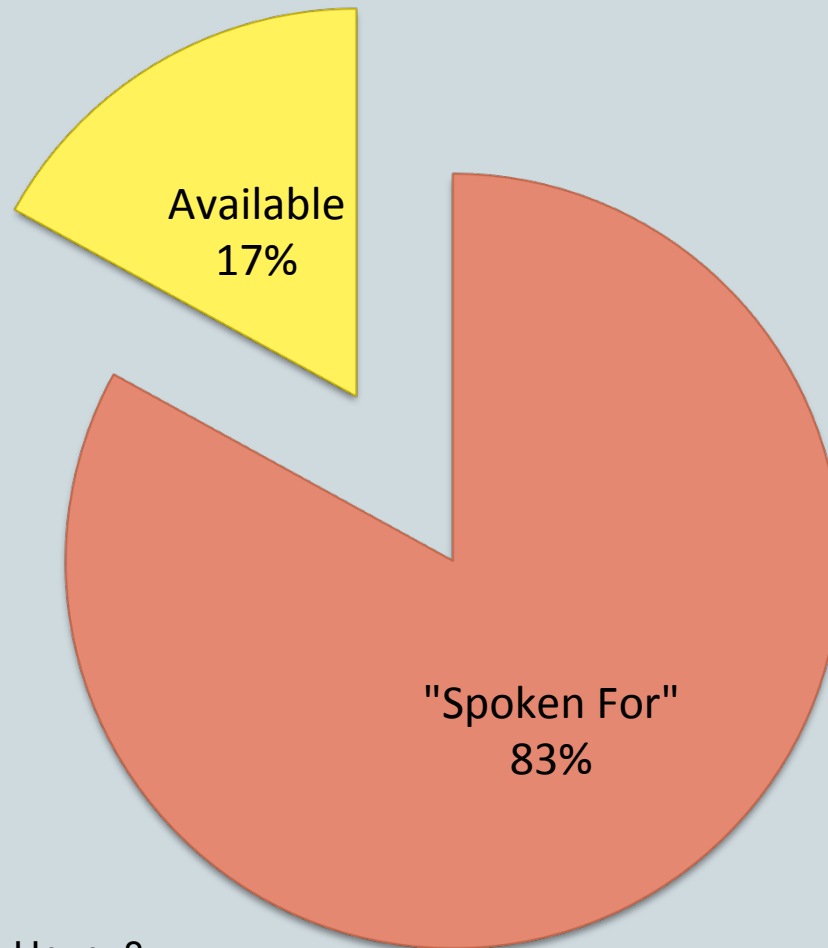
# Texas Budget Allocation of All Funds



Source: LBB 2014-15 Fiscal Size Up, p. 1



# Texas Budget Allocation of General Revenue and General Revenue-Dedicated Funds



Source: LBB 2014-15 Fiscal Size Up, p. 8



# Prevention Funding Comparison



	2014-15	2016-17	Percent change from 2014-15
C.1.1 - Prevention - STAR	\$40.6	\$42.0	3%
C.1.2 CYD Program	\$12.0	\$14.5	21%
C.1.3 Texas Families Program	\$5.2	\$5.2	0%
C.1.4 Child Abuse Prevent Grants	\$5.1	\$6.3	24%
C.1.5 - Other At-Risk Prevention	\$22.0	\$45.7	108%
C.1.6 At Risk Prevention Program Support	\$3.6	\$3.8	5%
<b>Total, Goal C: Prevention Services</b>	<b>\$88.5</b>	<b>\$117.5</b>	<b>33%</b>
Foster care Provider Rates - B. 1.9	\$779.0	\$837.0	7%
<b>(All numbers in millions)</b>			



# 84R Legislation



## **House Bill 1 - Budget Bill**

### **Prevention and Early Intervention (PEI) Funding** - Increased by 33%

- Approximately **\$117 million** for prevention efforts.
  - Services to At-Risk Youth (STAR) - **\$21 million annually** for 2016 and 2017.
- Overall 3% increase from previous session.

### **Foster Care Residential Treatment Services** - Increased by 7%

Rate increases include:

- Child placing agencies (weighted across all levels) - **5.1% increase**
- Emergency shelters - **6% increase**
- Residential treatment centers - **9.58% increase** for the specialized level.
- Residential treatment centers - **0.3% increase** for intensive level services to fully fund their costs reported to DFPS

### **Foster Care Redesign**

**\$6.8 million** to expand to one new catchment area and fund 2 state staff

# House Bill 2398 – Truancy bill



Old Truancy Law	New Truancy Law
Criminal Offense	Civil Offense
Fines, citation for contempt of court, jail time	Last resort penalties: Loss of driving privileges, fines, parents' fines capped at \$500
Schools not mandated to have truancy prevention programs	Schools required to have truancy prevention programs
Schools could send students with 3 unexcused absences within 4-weeks to truancy courts	Students with 3 unexcused absences within 4-weeks - parents notified and warned of the consequences
Schools could send students to court with 10 > unexcused absences in a 6-months	10 > unexcused absences in a 6-months and homeless, pregnant, in foster care, or is a primary earner for the family, then youth will receive counseling, <b>not citation</b>
	If the student is not in above category and the anti-truancy programs have not worked, the school can refer the child to truancy court or file criminal complaint against parents, if compliant in truancy

# 84R Legislation



## Homelessness

- **House Bill 679** by Rep. Sylvester Turner (D-Houston) requires the Department of Housing and Community Affairs (TDHCA) to conduct a study on homeless youth and submit a report to the legislature.
- **Senate Bill 607** by Sen. Kelly Hancock (R- North Richland Hills) updates the membership of the Interagency Council for Homeless and requires Texas Homeless Network to provide assistance to the council.
- **Senate Bill 1494** by Sen. Carlos Uresti (D-San Antonio) requires school districts to assist students who are homeless with transferring credits, awarding partial credit, participate in extracurricular activities, and other needs to facilitate their transition to a new school.



# 84R Legislation



## **Changes to Child Protective Services Policies**

- **Senate Bill 1889** by Sen. Judith Zaffirini (D-Laredo) prohibits a finding of abuse/neglect against a person where CPS is named managing conservator of a child with severe emotional disturbance only because the child's family is unable to obtain mental health services.
- **Senate Bill 1407** by Sen. Charles Schwertner (Georgetown) requires at each permanency hearing the court to check on CPS efforts to engage the child in age-appropriate normalcy activities, even if not listed in the child's services plan.

Foster parent or other substitute caregiver or licensed child placing agency is not liable for harm caused to child resulting from child participation in age-appropriate activity approved by caregiver, if caregiver exercised reasonable and prudent care.



# 84R Sunset Process



## **Texas Sunset Commission**

- Reviews most state agencies every 12 years to ensure their functions are still relevant
- All 5 health and human service (HHS) agencies were under Sunset review:
  1. Department of Family and Protective Services
  2. Department of State Health Services
  3. Department of Aging and Disability Services
  4. Department of Assistive and Rehabilitative Services
  5. Health and Human Services Commission
- Recommendations focused on improving services by reducing inefficiency, duplication of effort, and fragmentation to achieve savings.



# 84R Legislation



## **Health and Human Service Agencies Consolidation**

- **Senate Bill 200** by Sen. Jane Nelson (R- Flower Mound) consolidates in phases health and human services functions into the Health and Human Services Commission.
- **Senate Bill 206** by Sen. Charles Schwertner (R-Georgetown) implemented key goals of CPS Transformation. One is to allow caseworkers to spend more time with children and families and improve the safety, permanency, and well-being of children.



# Key Legislation In Depth



- CPS Transformation
- Foster Care Redesign
- Prevention Programs



# Key Legislation In Depth



## CPS Transformation

Lindsay Littlefield  
The Stephen Group



# What is Foster Care Redesign?



The redesigned system is a change in who provides foster care services and how they are provided.

DFPS will contract with one entity to provide most of the foster care services within a designated region.

The one entity in each region is known as the Single Source Continuum Contractor or SSCC.

Funding is based on various strategies, such as:

- ✓ blended daily rate
- ✓ performance measures
- ✓ start-up funding (must be paid back)
- ✓ resource transfer

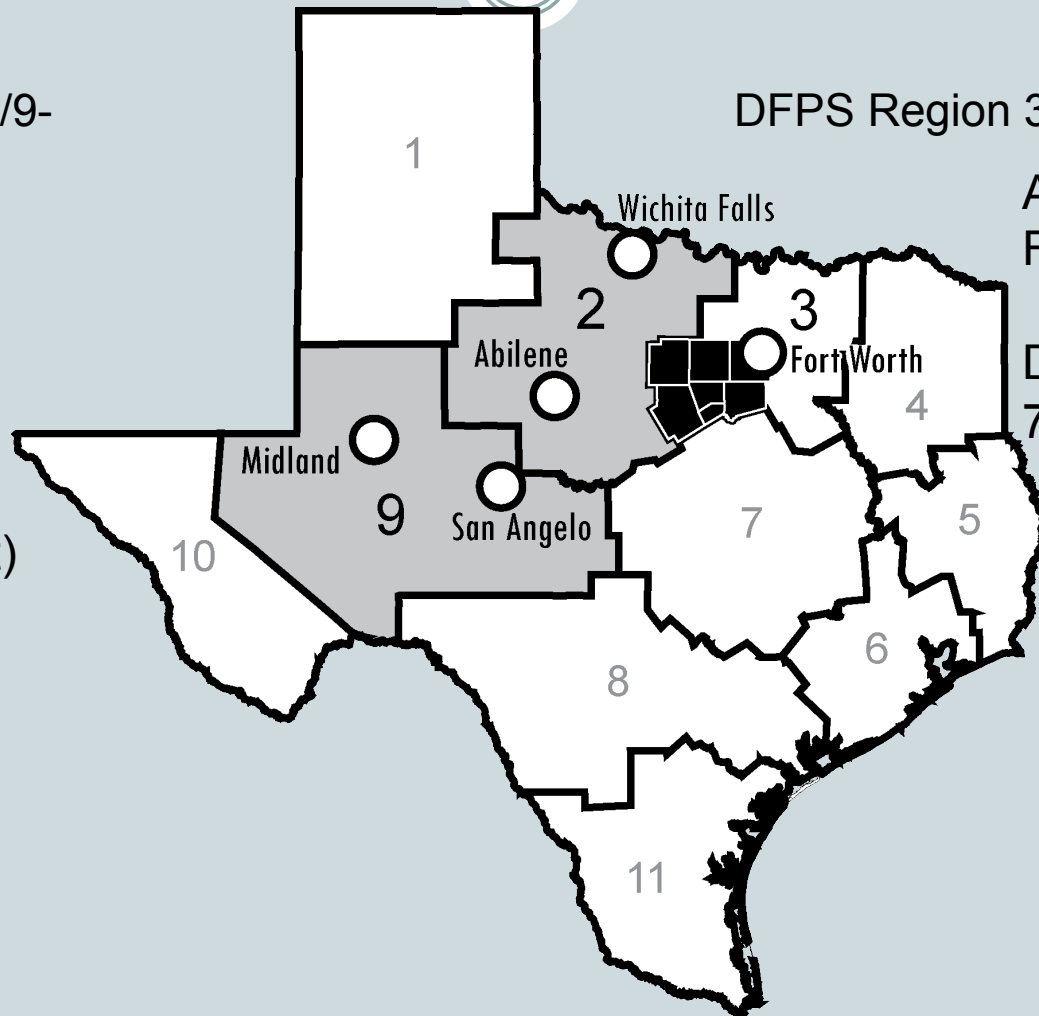


# Where is it occurring? / Who is providing services?

DFPS Regions 2/9-

Providence  
Service  
Corporation –

DFPS Regions  
2/9; all counties  
(Ended contract)



DFPS Region 3 in 7 counties

ACH Child and  
Family Services –

DFPS Region 3B,  
7 counties



# Status of Foster Care Redesign



- Sunset has expressed concerns about Foster Care Redesign (FCR).
- Commissioner Specia says he will continue to roll out FCR.
- DFPS commissioned a study that found issues with financial solvency. DFPS is trying to address these.
- DFPS received **\$6.8 million** to expand Foster Care Redesign to one new catchment area. Funding will be used to:
  - ✓ Provide for start-up costs of new SSCC - approximately \$900,000
  - ✓ Provide 2 full-time equivalents (FTEs) at state office
  - ✓ Provide \$1,200 per child annual payment for each SSCC to cover the fringe and benefits tied to the resource transfer for Foster Care Redesign.



# Resources



## Foster Care Redesign Information

[http://www.dfps.state.tx.us/Adoption\\_and\\_Foster\\_Care/About\\_Foster\\_Care/redesign.asp](http://www.dfps.state.tx.us/Adoption_and_Foster_Care/About_Foster_Care/redesign.asp)

## Independent Cost Analysis of SSCC Costs

[https://www.dfps.state.tx.us/About\\_DFPS/Other\\_Reports/Public\\_Consulting\\_Group\\_Cost\\_Analysis.asp](https://www.dfps.state.tx.us/About_DFPS/Other_Reports/Public_Consulting_Group_Cost_Analysis.asp)

## Process Evaluation about Foster Care Redesign

[http://www.dfps.state.tx.us/documents/Child\\_Protection/2014-08-29\\_UT\\_Process\\_Evaluation\\_Report.pdf](http://www.dfps.state.tx.us/documents/Child_Protection/2014-08-29_UT_Process_Evaluation_Report.pdf)

## Legislative Budget Board Government Effectiveness and Efficiency Report on Foster Care Redesign (2013)

<http://www.lbb.state.tx.us/Documents/Publications/GEER/Government%20Effectiveness%20and%20Efficiency%20Report%202012.pdf>

# Prevention Services Changes / Scrutiny Continues



Proposal to consolidate PEI with all health prevention services.  
Legislature rejected this idea for now.

Instead...

HHSC programs will be transferred to DFPS.

1. Nurse-Family Partnership
2. Maternal, Infant, and Early Childhood Home Visiting program
3. Texas Home Visitation program.

More research about consolidation will occur about effectiveness of PEI programs and their outcomes by:

- DFPS
- HHSC executive commissioner
- Legislative Oversight Committee

# Prevention Services Under Scrutiny



- DFPS will study the effectiveness of PEI programs and the number of families served for each program.
- Their assessment will be based on:
  1. if parents abuse or neglect their children during or up to 3 years after receiving services
  2. if youth are referred to juvenile courts during or after services
  3. if protective factors in parenting have increased (based on a validated pre and post survey)
  4. The programs focused on children ages three and under helped to reduce the number of child fatalities
  5. if the parents receiving the services had any prior CPS involvement
  6. any other outcome measures DFPS determines are appropriate based on the Strategic Plan for PEI required in SB 206

# Prevention Services Under Scrutiny



The legislature is requesting more research about the effectiveness of prevention programs and their consolidation.

The Oversight committee created by the Sunset legislation will examine:

1. the transfer of prevention and early intervention services functions and any increased coordination and efficiency resulting from the transfer
2. how DFPS coordinates with other state agency programs providing similar prevention and early intervention services
3. how DFPS interacts with stakeholders and other interested parties
4. an examination of recommendations about transferring DFPS' prevention and early intervention services functions to another state agency.

# How can you get involved?



## During the Interim:

- Vote
- Join TNOYS and meet other advocates
- Go meet with your local legislator about any new bills that passed or bills that did not. Ask questions and discuss any concerns. Convey thanks if pleased about any new bills passed
- Ask DFPS about participating in councils or groups
- Participate in public hearings—Health agencies consolidation planning
- Learn how to testify effectively
- Learn about the state budget process

[http://www.senate.state.tx.us/SRC/pdf/Budget101WebsiteSecured\\_2013.pdf](http://www.senate.state.tx.us/SRC/pdf/Budget101WebsiteSecured_2013.pdf)

## During Session:

- Testify on bills of interest
- Participate in advocacy days at state capitol
- Track legislation's status ([www.legis.state.tx.us](http://www.legis.state.tx.us))
- Watch committee hearings on Internet ([www.house.state.tx.us](http://www.house.state.tx.us)) and ([www.senate.state.tx.us](http://www.senate.state.tx.us))

# Summary



- Identified key child welfare legislation
- Discussed in-depth CPS Reform, Foster Care Redesign, and Prevention Services
- Prevention issues will continue to be monitored by multiple entities.
- Consolidation of DFPS and prevention services may occur in future.
- Opportunities to weigh in about consolidation and other issues to legislators



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