



# Texas Department of Family and Protective Services

**Commissioner**  
*Stephanie Muth*

February 17, 2023

Ms. Sarah Hicks, Senior Advisor and Budget Director  
Governor's Office of Budget, Planning and Policy  
1100 San Jacinto, 4th Floor  
Austin, TX 78701

Mr. Jerry McGinty, Director of Legislative Budget Board  
Legislative Budget Board  
1501 North Congress Avenue, 5th Floor  
Austin, TX 78701

Dear Ms. Hicks and Mr. McGinty:

Enclosed is the agency's FY 2023 Monthly Financial Report as of December 2022. The following is a narrative summary of budget adjustments during the month, budget variances, significant changes from appropriated funding, capital budget issues, and other key budget issues at this time.

Schedules are updated to meet the reporting requirements in Rider 6, Other Reporting Requirements. A.1.1, Statewide Intake Services, and D.1.1, APS Direct Delivery Staff, are added to Schedule 11, which provides 5-year detail of actual and projected expenditure information by Object of Expense and Method of Finance. Also, in accordance with Rider 6, Other Reporting Requirements, Statewide Intake performance measures are included in Schedule 9, Select Performance Measures. Revenue for Object Code 3770, Administrative Penalties, is included in the Revenue Schedule for Appropriated Receipts (0666) to meet the requirements for Rider 30, Contractor Penalties and Incentives.

## **BUDGET ADJUSTMENTS**

The budget adjustments listed below apply to the appropriation year 2023 as of the end of December 2022. Adjustments to Department of Family and Protective Services (DFPS) appropriation pattern as detailed in the Conference Committee version of S.B.1, 87th Legislature, Regular Session are described below:

- A. This adjustment reflects supplemental funding for Foster Care Capacity Improvement appropriated under HB 5, 87th Leg, Second Called Session, 2021, Sec.11.52.

B. This adjustment reflects changes in estimated federal entitlement funds (gains or losses) pursuant to Article IX, Sec 13.01, Federal Funds/Block Grants Fed Entitlements. Total amounts by CFDA are listed below.

93.090.050-Title IV-E Guardianship Assistance - Administration (\$84,570)  
93.658.050-Title IV-E Foster Care – Administration (\$10,419,620)  
93.658.075-Title IV-E Foster Care-Training-75% \$1,658,448  
93.659.050-Title IV-E Adoption Assistance - Administration (\$478,809)  
93.659.075-Title IV-E Adoption Assistance-Training-75% \$1,437  
93.778.003-Medical Assistance Program 50% \$4,377,317

C. Pursuant to Article IX, Sec 13.01, Federal Funds/Block Grants, adjustments have been made to align federal funds/block grants with award amounts and re-budget federal funds/block grants between FY22 and FY23. Total amounts by CFDA are listed below.

93.556.003 – Title IV-B, Part 2 – Kinship Navigator \$1,851,454  
93.556.005 – Title IV-B, Part 2 – FFTA \$14,952,687  
93.556.119 – Title IV-B, Part 2 – Coronavirus \$36,900  
93.590.000 – Community-Based Child Abuse Prevention Grants – \$39,517  
93.590.119 – CBCAP, Coronavirus \$6,928,991  
93.599.000 – Title IV-E ETV \$18,909  
93.599.119 – Title IV-E ETV Coronavirus \$680,546  
93.669.000 – Child Abuse and Neglect State Grants \$1,903,517  
93.669.119 – CAPTA HR 1319, Coronavirus \$6,272,302  
93.674.000 – Chafee Foster Care Independence Program (\$1,180,994)  
93.674.119 – IVE Ind Liv – Coronavirus Relief \$2,500,000  
93.747.000 – Elder Abuse Prevention Program \$0  
93.747.119 – Elder Abuse Prevention Program, Coronavirus \$16,942,865  
93.870.000 – Home Visiting Grant – Formula \$2,413,162  
93.870.119 – Home Visiting Grant, Coronavirus \$2,648,364  
93.558.119 – Temporary Assistance for Needy Families Pandemic Emergency \$425,000

D. This adjustment reflects changes in estimated interagency contracts pursuant to Article IX, Sec 8.02, Reimbursements and Payments.

G. This adjustment reflects changes in estimated gift revenue collected pursuant to Article IX, Sec 8.01, Acceptance of Gifts of Money.

I. Pursuant to Article IX, Sec. 18.65. Contingency for Senate Bill (2022-23 GAA), this adjustment reflects CBC Transition Strategy Transfer and additional appropriation for temporary emergency placement purposes.

J. This adjustment reflects additional budget appropriated under Article II, Special Provision Related to All Health and Human Services Agencies, Sec. 26 (2022-23 GAA).

- K. This adjustment reflects additional budget appropriated under Article IX, Sec. 17.29 Family Finding Collaboration Funding (2022-2023 GAA).
- M. Pursuant to Article II, Special Provisions Relating to All Health and Human Services Agencies, Sec 9 (2022-23 GAA), this adjustment reflects the transfer between Health and Human Services and DFPS related to system support services, (letter dated 4/1/2022, HHSC-2022-N-692).
- P. Pursuant to Article II, Rider 30, Contractor Penalties and Incentives (2022-23 GAA), this adjustment reflects the estimated revenue to be utilized for awarding incentives to contractors who exceed contractually specified performance outcomes.
- S. Pursuant to Art IX, Sec 14.03(i), Limitation on Expenditures - Capital Budget UB (2022-23 GAA), this adjustment reflects the carry forward of funds from FY2022 to FY2023.
- T. Pursuant to Article II, Rider 9, Appropriation Transfer Between Fiscal Years, this adjustment reflects a carry back of General Revenue funds from fiscal year 2023 to fiscal year 2022 in Strategy B.1.9, Foster Care Payments. (DFPS-2022-A-0004).
- V. Pursuant to Article II, House Bill 2, Regular Session, 2021, Sec 65, this adjustment reflects the carry forward of funds from FY 2022 to FY 20233 related to IMPACT upgrades.
- Y. Pursuant to Article IX, Sec. 14.05 Unexpended Balance Authority Between Fiscal Years within the Same Biennium, this adjustment reflects the carry forward of General Revenue in Strategy B.1.1, CPS Direct Delivery from fiscal year 2022 to fiscal year 2023. (DFPS-2022-A-0005).
- Z. Pursuant to Article II, Rider 27, Limitations: Community Based Care Payments, this adjustment reflects the realignment of appropriations within the CPS Direct Delivery Staff from DFPS legacy staffing to CBC programs. (DFPS-2022-A0005).
- AB. Pursuant to Article II, Rider 57, Foster Care Capacity Improvement, this adjustment reflects the carry forward of unallocated General Revenue related to providing targeted foster care capacity grants across this state to address the existing foster care capacity shortage.

## **BUDGET VARIANCES**

Schedules 1, 4, and 5 of this report reflect the agency's current projections for program expenditures, the Fall 2022 forecast for entitlement programs (Foster Care and Adoption Subsidy/PCA), Contracted Day Care services, and the Relative Other Designated Caregiver program as well as an entitlement budget adjustment for the enhanced FMAP. Projections for

forecasted programs have been further adjusted to reflect anticipated general revenue savings from the enhanced FMAP rates approved through the CARES Act through the end of the calendar year.

The agency has also increased projections to account for federal funds received under HR 748: Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law 116-136) and HR 133: Consolidated Appropriations Act, 2021 (Public Law 116-260).

This report reflects an agency surplus of \$30.2 million all funds consisting in a shortfall of \$56.3 million in General Revenue and a surplus of \$86.5 million in Federal Funds.

- Appropriations that are anticipated to result in lapsed budget authority are expressed as a positive variance:
  - 8008 – GR Title IV-E – FMAP
  - 93.558 – Temporary Assistance to Needy Families (TANF)
  - 93.575 – Child Care and Development Block Grant
  - 93.090.050 – Title IV-E Guardianship Assistance – Administration
  - 93.556.005 – Title IV-B, Part 2 Promoting Safe and Stable Families - FFTA
  - 93.658.050 – Title IV-E Foster Care – Administration
  - 93.658.060 – Title IV-E Foster Care – FMAP
  - 93.659.050 – Title IV-E Adoption Assistance
  
- Appropriations for which expense is projected to exceed the adjusted budget are reflected as a negative variance:
  - 0001 – General Revenue
  - 0758 – GR – Medicaid Match
  - 93.090.060 – Title IV-E Guardianship Assistance – FMAP
  - 93.659.060 – Title IV-E Adoption Assistance – FMAP

The projected general revenue variances are summarized as follows:

- Entitlement Programs - \$1.7 million lapse.
- Non-Entitlement Programs - \$58.0 million shortfall.

## **SIGNIFICANT CHANGES FROM PREVIOUS REPORT**

Expenditure projections have been updated to reflect trends through the first quarter of FY 2023, and anticipated costs for the remainder of the fiscal year. Additionally, expenditure projections in strategy B.1.9, Foster Care Payments, have been updated to reflect Fall 2022 forecast assumptions, including the impact of foster care supplemental payments to expand capacity.

Forecasted costs have been incorporated and reflected in the DFPS FY 2023 shortfall plan and request for supplemental appropriation.

## OTHER KEY BUDGET ISSUES

This month's report reflects the Fall 2022 forecast for entitlement programs (Foster Care and Adoption Subsidy/PCA), Contracted Day Care services, and Relative Other Designated Caregiver program. The forecast includes updating the end date for enhanced FMAP rates to the end of calendar year 2023 and incorporates changes in expense type for the Foster Care Payment strategy.

Additional funding appropriated under Article II, Sec. 26, Article IX, Sec. 17.29, and Article IX, Sec. 18.65 are reflected in this report. Supplemental Funding for Foster Care Capacity Improvements appropriated under HB 5, 87<sup>th</sup> Leg, Second Called Session, 2021, Sec. 11.52 is also reflected.

## CAPITAL BUDGET ISSUES

The budget in Schedule 8 (Capital Projects) reflects the DFPS 2022-2023 capital appropriation levels. Future adjustments will be reflected in Monthly Financial Reports as revenues are realized and/or actual adjusting entries are processed in the Uniform State Accounting System.

B. This adjustment reflects changes in estimated federal entitlement funds (gains or losses) pursuant to Art IX, Sec 13.01, Federal Funds/Block Grants Fed Entitlements.

S. Pursuant to Art IX, Sec 14.03(i), Limitation on Expenditures - Capital Budget UB (2022-23 (GAA), this adjustment reflects the carry forward of funds from FY2022 to FY2023 related to IMPACT, Seat Management and Data Center Consolidation upgrades.

V. Pursuant to Article II, House Bill 2. Regular Session, 2021, Sec 65, this adjustment reflects the carry forward of funds from FY 2022 to FY 20233 related to IMPACT upgrades.

## STATUS OF PENDING TRANSFERS AND AUTHORITY REQUIRING PRIOR APPROVAL

Schedule 10 contains a full listing of request for approval and notifications that DFPS has submitted for the fiscal year. The items listed below are pending approval.

<b>Letter Topic</b>	<b>HHSC/DFPS</b>	<b>LBB</b>	<b>Governor</b>
<b>Appropriation Year</b>	<b>Letter Date</b>		
Request for Authority to Pay Exceptional Rate that Exceeds GAA Rate [DFPS-2023-A-001]	September 20, 2022	February 6, 2023	-

Ms. Sarah Hicks  
Mr. Jerry McGinty  
February 17, 2023  
Page 6

Request Approval to Expend Additional CCDBG Funds [DFPS-2023-A-002]	October 19, 2022	February 6, 2023	-
Request Approval to Pay the Community-Based Blended Foster Care Rate at Statewide average blended rate [DFPS-2023-A-003]	November 16, 2022	-	-
Request to Transfer FY2022 Appropriations for Foster Care Capacity Improvements [DFPS-2023-A-004]	December 2, 2022	January 25, 2023	-

Please feel free to contact me at 512-919-7463 if you have any questions or require additional information.

Sincerely,



Scott A Greer  
Budget Director

cc: Madelyn Fletcher, Governor's Office  
Andria Franco, Lieutenant Governor's Office  
Molly Czepiel, Speaker's Office  
Briana Novian, House Appropriations Committee  
Stacey Gilliam, Senate Finance Committee  
Alyssa Jones, Senate Finance Committee  
Eduardo Rodriguez, Legislative Budget Board  
Andrea Nikic, Legislative Budget Board  
Amit Patel, Legislative Budget Board  
Rob Coleman, Director of Fiscal Management  
Lea Ann Biggar, Acting Chief Financial Officer