



TEXAS
Department of Family
and Protective Services

Report on Federal Funds Maximization

Semi-Annual Update

**As Required by House Bill 1, 88th Legislative Session, 2023
(Article II, DFPS, Rider 36)**

March 1, 2024

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Introduction

Rider 36 of House Bill 1, 88th Legislative Session, requires the Department of Family and Protective Services (DFPS) to submit progress reports related to the agency's efforts to maximize federal funds, including identifying the strategies DFPS has implemented and any successes and challenges in maximizing funding, as well as how the agency can maximize federal funds by program and funding source. Progress reports are required to be submitted by September 1 and March 1 of each year to the Legislative Budget Board and the Governor.

Relevant federal funding updates since the [September 2021 report](#) are only included in this progress report which serves as a companion to the September report.

Section I: Update to Federal Funding to Address COVID-19

Coronavirus Response & Relief Supplemental Appropriations Act of 2021 (CRRSA)

The Coronavirus Response & Relief Supplemental Appropriations Act, or CRRSA, became law in December 2020 as part of the Consolidated Appropriations Act of 2021. The Act directed \$100 million to ACL programs to prevent, prepare for and response to coronavirus domestically and internationally, which shall be for activities authorized under Subtitle B of Title XX of the Social Security Act, with not less than \$50 million for implementation of Section 2042(b) of the Social Security Act, also known as the Elder Justice Act. The agency evaluated APS program and client need in the development of a spend plan to fully utilizing the formulaic award of \$6,174,152. DFPS fully utilized this funding during the approved project period between April 2021 and September 2023. The approved spend plan included the following:

- Focus on staff retention through multiple methodologies;
- Increased in information technology hardware, software and programming to better serve clients and increase staff efficiency;
- Increase in APS infrastructure; and
- Improved remote staff training.

American Rescue Plan Act (ARPA)

The American Rescue Plan Act, or ARPA, became law in March 2021. The American Rescue Plan Act allocated \$188 million for Elder Justice Act programs, including Adult Protective Services and the Long-Term Care Ombudsman Program, in fiscal year 2022. The agency assessed need across the APS program and has implemented a plan that supports the grants objectives. The spending plan includes the following:

- Creation of specialized units focused on financial exploitations;
- Increase in APS focused community engagement through “[Partnering to Protect](#)” initiative and increased funding for annual Texas APS conference;
- Redesign of APS training model including Training While Working (TWW);
- Continued staff retention and recruitment including paid intern and work study programs; and
- Increase in APS State Office infrastructure and information technologies software and hardware.

Maternal, Infant, and Early Childhood Home Visiting (MIECHV)

Since the September 2021 report, DFPS has implemented round one of MIECHV ARPA funding (\$2.6 million) which concluded September 30, 2023 and continues to implement a second round of supplemental MIECHV funding (\$5.2 million) that carries forth the activities of the first round of funding through September 30, 2024. In addition to the MIECHV ARPA funds, Texas’ MIECHV formula grant increased approximately \$2 million from the 2022-2023 to the 2024-2025 biennium, enabling Prevention and Early Intervention (PEI) to expand home visiting, and supplemental MIECHV ARPA funding, to more populations and communities. Activities funded through MIECHV include:

- Evidence-based training program for prevention of postpartum depression for MIECHV providers;
- IT enhancements to improve online options for completing enrollments, assessments, and surveys virtually;
- Technology and connectivity (for home visitors and families) to support remote home visits;
- Retention/incentive pay for front-line direct service workforce to retain home visitors and other direct service staff;
- Training to support staff in providing remote home visits; and
- Funding to community grantees to provide emergency supplies for families, including diapers, wipes, infant formula, cleaning supplies, non-perishable food, and gift cards for perishable food items.

Child Abuse Prevention and Treatment Act (CAPTA) Supplemental Funds

Since the September 2021 report, the agency has assessed needs across all eligible program areas and has implemented a plan that supports the grant's intent. The spending plan includes the following:

- Services to support child abuse and neglect prevention;
- Services for youth and young adults with lived foster care experience;
- Advancement of work to assess and address disproportionality;
- System improvements to support matching of children and youth to prospective adoptive families; and
- Implementation of a more efficient background check process.

Section II: Update to Other Federal Grants

Kinship Navigator Grants

DFPS is using approximately \$1.8 million in federal grant funds to implement the 4 Kinship Navigator Program approaches developed in Fiscal Year 2021. The PEI division providers began the pilot implementation phase October 2021. A portion of these funds are being used to conduct a cross-site evaluation of the Kinship Navigator Program. DFPS received funding in the 88th legislative session to continue the concrete services that were previously provided through this grant opportunity. Specifically, this appropriation includes:

- \$6.9 million in additional funding to support concrete service needs, implement enhanced Permanency Care Assistance (PCA) and off-set costs incurred by relative caregivers as they care for children and work towards becoming a licensed foster parent.
- \$3 million to be spread across the biennium to work with contracted Single Source Continuum Contractors (SSCCs) to leverage existing infrastructures and providers network to expand behavioral health funding for SSCC's to provide services to children and families in their catchment area in kinship.

National Electronic Interstate Compact Enterprise (NEICE)

DFPS implemented NEICE on March 24, 2023, which has allowed for the effective and timely exchange of communication and documentation between states.

Elder Justice Act (EJAP) - Adult Protective Services Formula Grants

(EJAP) Adult Protective Services Formula Grants to States Award Authority: Title XX of the Social Security Act, total \$14,242,357 with \$941,261 being formulaically allocated to Texas APS. Awarded funds will be utilized by the agency to further support efforts commenced under DFPS's utilization of APS related ARPA funding. The approved spending plan includes the following:

- Continued support and expansion of specialized units focused on financial exploitations and staff retention;
- Protracted support and expansion of the redesign of APS training model Training While Working (TWW); and
- Ongoing support of APS focused community engagement through "Partnering to Protect" initiative.

Section III: Update to FY 2024-2025 Active Projects

Qualified Residential Treatment Programs (QRTP) Pilot

The QRTP Open Enrollment Procurement documents and all required supplemental documents were published on Friday April 1, 2022. The information is posted on the Electronic State Business Daily site where potential providers can view necessary information to apply to become a contracted QRTP provider.

Implementation details for internal and external processes have been established and shared with DFPS staff and external stakeholders through meetings, webinars, workgroups and cross training sessions which were conducted throughout the months of April, May, and June 2022. DFPS achieved readiness to serve the first youth by July 1, 2022. The first contracts for QRTP were awarded in June of 2023. Currently, there are three providers contracted for QRTP services. There are currently 49 children receiving QRTP level of service and 10 children have been successfully discharged to less restrictive settings. DFPS is working with several providers to add QRTP to their operations.

The 88th Legislature appropriated \$5 million of Family First Transition Act (FFTA) federal funding (Rider 43 (b)) to continue the QRTPs to allow providers to meet QRTP standards under the FFTA.

Prevention Pilots- Texas Family First (House Bill 3041)

The 88th Legislature appropriated \$15 million of Family First Transition Act (FFTA) federal funding (Rider 43(a)) to continue pilot programs to serve children in the home pursuant to House Bill (HB) 3041, 87th Legislature, Regular Session. DFPS shall develop additional criteria to ensure children that could enter conservatorship, or children of families struggling with significant issues that impact family stability and child safety, can be referred to the pilot program.

DFPS released the grant funding opportunity for the HB 3041 Pilot to all current SSCCs on March 18th, 2022. All four SSCCs that have progressed to Stage II CBC model have an active contract for and are implementing the Texas Family First Pilot in their areas. DFPS and the SSCCs are working together to find ways to engage more families into the Texas Family First Pilot and communicating regularly. In April 2023, a change in population criteria permitted FBSS to refer qualified families into the Pilot. As of February 2024, a total of 323 referrals into the Pilot have been made. Eighty-five families have successfully completed the Pilot to date and there are currently 18 additional families pending entry into the Pilot. Below is the count of families actively court ordered into the Pilot as of February 22, 2024, and the SSCC serving them:

- Region 1, St. Francis - 35 families.
- Region 2, 2INgage - 23 families.
- Region 3W, OCOK - 46 families.
- Region 8B, Belong - 20 families.

Update the Random Moment Time Study (RMTS)

DFPS plans to launch a new RMTS process for Community-Based Care (CBC) catchment areas in Summer 2024. DFPS selected Public Consulting Group (PCG) as the contractor to develop the new RMTS for the CBC catchment areas. DFPS Finance is currently in the final stages of developing new activity codes, testing IT systems to use in the CBC areas, and developing training modules for staff in CBC areas about the RMTS processes. The new RMTS process will ensure DFPS receives necessary reimbursement of federal funds for the work conducted in the catchment areas.

Additionally, within the legacy DFPS RMTS (which samples Adult Protective Services, Child Protective Investigations, Child Protective Services, and Statewide Intake Services) DFPS staff reviews all 16,000 moments per quarter to ensure study moments are properly coded by field participants. This ensures DFPS properly claims all possible reimbursement dollars available via the RMTS process.

Section IV: Update to Foster Care Rate Methodology Examination and Modernization

In September 2021, DFPS published the [Foster Care Rate Modernization Report: Preliminary Service Descriptions](#), which included:

- Background information on the Texas Service Level System/rate methodology and the legislative charge;
- The goals, objectives, and parameters of the current Rate Modernization Project;
- Information detailing the approach DFPS utilized to arrive at the preliminary service descriptions contained in the report;
- DFPS's preliminary new service descriptions; and
- An overview of project next steps for the Fall of 2021.

On December 31, 2021, DFPS published the [Foster Care Rate Modernization Report: Final Service Descriptions](#), which provides information on several significant changes made to the preliminary service descriptions released in September 2021. The report includes details on:

- New service add-ons;
- Use of evidence-informed (as opposed to evidence-based) treatment models;
- Potential for gradation of foster care rates within each service add-on; and
- Implementation of a developmentally appropriate universal Human Trafficking training and prevention model for children, youth, and young adults in foster care.

DFPS worked with the Institute for Child and Family Well-being at University of Texas at Austin on a provider survey and met with numerous providers and advocacy groups to inform the assumptions for the final service descriptions.

Pursuant to the 2022-2023 General Appropriations Act, Senate Bill 1, 87th Legislature, Regular Session, 2021 (Article II, Special Provisions Relating to All Health and Human Services Agencies, Section 26) DFPS published three required reports, including:

[Opportunities to Increase Claiming IV-E Funds through Foster Care Rate Modernization](#) report, published in February 2023. Through this work DFPS:

- Reviewed opportunities to increase the Title IV-E eligibility rate;
- Established a plan to increase kinship licensing;

- Included enhanced Title IV-E administrative claiming strategies for General Residential Operations (GRO) and Residential Treatment Center (RTC) placements as a part of Foster Care Rate Modernization; and
- Identified methods to claim costs associated with (the) child (as a part of child specific contracts and exceptional care).

[Foster Care Rate Modernization: DFPS Companion to HHSC Pro Forma Modeled Rate and Fiscal Impact Report](#), published in February 2023, which proposed an alternative reimbursement methodology for foster care and CBC rates. The effort that was originally called “Foster Care Rate Modernization” is now known as the “Texas Child-Centered Care System” or T3C, and transforms the foster care system to better align and support the success of CBC by establishing:

- Clearly defined foster care models/services packages;
- New foster care rate methodology;
- A universal screening assessment and placement process to match children to the appropriate services; and
- Opportunities to enhance Title IV-E claiming of federal funds.

[Foster Care Rate Modernization Semi Annual Progress Report](#), published in August 2023. DFPS was required to submit a semi-annual progress report detailing all related activities undertaken by DFPS every six months.

The 88th Legislature made a significant investment in improving the foster care system and by increasing the biennial appropriation in SFY 2024-25 by an estimated \$159.5 million.

As of February 2024, DFPS, in collaboration with HHSC and multiple stakeholders, has developed twenty-four clearly defined service packages, three add-on services, and a new fully funded rate methodology that provides opportunities for federal funds to be utilized to support foster care. The T3C implementation team is working with stakeholders to make modifications to the IT infrastructure, create a universal child assessment tool and placement process that better aligns with the child’s needs, and develop a new T3C residential provider credentialing and contract monitoring process. Details on the ongoing development of these aspects of T3C will be released in a T3C Blueprint document for residential providers and the public in March 2024. The transition to the T3C System will occur in four phases, with children starting to be served in January 2025, with the full transition occurring at the end of Fiscal Year 2027.

Section V: Update to Title IV-E Funds for County Legal Services

As of January 2024, there are 22 counties participating in this opportunity. In addition, DFPS continues to work with the Texas Indigent Defense Commission, (TIDC) and the Children’s Commission on expanding awareness, access, and utilization of this funding stream. Pursuant to newly passed legislation, SB 2120 (88th Legislature), TIDC now has statutory responsibility to work to improve the court-appointed legal representation system for families involved in cases brought by the DFPS. The new legislation allows TIDC to distribute funds and monitor grant recipients to improve this legal representation. DFPS is coordinating efforts with TIDC.

Conclusion

DFPS is making all efforts to maximize the drawdown and use of federal funds. With significant systemic changes in the child welfare system including CBC, FFTA, and one-time COVID-19 funds for specific initiatives, federal funding remains critical to assisting DFPS with helping the agency implement its mission to promote safe and healthy families and protect children and vulnerable adults from abuse, neglect, and exploitation. DFPS will continue to focus on efficient and effective management of multiple federal funding streams.