

# **Texas Department of Family and Protective Services**

## **Summary of Exceptional Items**

### **Exceptional Item 1, Restore Base Foster Care/Adoption to FY 05 Rates**

Guidance was provided by HHSC in consultation with leadership offices to maintain the projected caseload for FY 2005 for our federal entitlement programs in our baseline request for FY 2006-2007. In order to stay within 100% of FY 2004-2005 general revenue related funds for foster care and adoption subsidies in our base request, DFPS was required to reduce the average daily rate for foster care by 4% each year, and the average monthly adoption subsidy payment by 3% each year. The restoration of these reductions is requested so that FY 2005 foster care rates and adoption subsidy payment ceilings are maintained for FY 2006-2007.

### **Exceptional Item 2, Foster Care/Adoption Subsidies Caseload Growth**

The funding for caseload growth for foster care and adoption subsidies at the restored FY 2005 rates is requested in this item. Forecasts of the average number of FTE children per month in paid foster care indicate a caseload growth of 6.2% for FY 2006 and 6.7% for FY 2007. Similarly, forecasts of the average number of children provided adoption subsidies per month indicate a caseload growth of 8.4% for FY 2006 and 7.4% for FY 2007. There are no projected shifts toward higher service levels in foster care or higher adoption subsidy payments that would cause an increase in the average cost per person served for these programs.

### **Exceptional Item 3, Restore 5% Base Reduction**

Instructions were provided to all agencies by the Legislative Budget Board and the Governor's Office that limited an agency's baseline request for general revenue-related funds to 95% of the sum of amounts expended in FY 2004 and budgeted in FY 2005. Further guidance was given that allowed DFPS to exclude foster care and adoption subsidies from the required baseline reduction. The agency is applying the baseline reduction to the Services to At-Risk Youth (STAR) program, resulting in a 26.4% funding cut for that program. This prevention program serves children ages 0-17 who are runaways, delinquents, truants, or living in situations where they are at risk of delinquent conduct or child maltreatment. The restoration of this baseline funding reduction to the STAR program is being requested in this item.

### **Exceptional Item 4, Maintain CPS Phased-In Staff**

During the 78th Legislative session in 2003, the Governor and the Texas Legislature demonstrated support for the critical nature of DFPS' mission by providing an increase of 356 direct delivery staff for the Child Protective Services (CPS) program, in spite of significant cuts in overall state spending. However, as a result of a phased-in funding approach for the current biennium, the baseline funding request for the upcoming biennium does not contain sufficient amounts to maintain all of the new 356 FTEs. The additional funding needed to annualize the cost of these FTEs and restore 135 direct delivery FTEs for FY 2006-2007 is being requested in this item.

### **Exceptional Item 5, Restore Loss of CPS Targeted Case Management**

The baseline funding request for CPS direct delivery staff has been reduced due to an assumed loss of Medicaid associated with the CPS targeted case management program. Under targeted case management, Medicaid is claimed for case management activities that assist the target population in gaining access to medical, social, educational and other services. These case management activities include assessment, case planning, service coordination or monitoring, and case plan reassessment. The federal Center for Medicaid and Medicare Services (CMS)

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issued a disallowance of targeted case management claims for what they define as child welfare activities. Texas has appealed, and is awaiting federal guidance for the future. Until that time, the assumption is that there will no longer be a CPS targeted case management program starting in FY 2006. However, negotiations with CMS may result in some level of targeted case management. Our funding request will be adjusted based on these negotiations. The funds needed to restore 485 FTEs are requested in this item.

### **Exceptional Item 6, APS Reform**

Under Executive Order RP 33, issued April 14, 2004, HHSC is directed to oversee the systemic reform of the Adult Protective Services (APS) program. HHSC has worked with leadership offices to identify additional FY 2005 funding for four critical areas of the APS reform: sufficient staff in critical areas of the state, technology to improve investigations, modifications to the Information Management Protecting Adults and Children in Texas (IMPACT) system, and programmatic changes to better deliver services. This additional funding is included in the FY 2005 budgeted amounts, and the funding necessary for the continuation of staff and the other improvements that will be put in place in FY 2005, as well as additional staff to further reduce caseload per worker for FY 2006-2007 is being requested in this item.

### **Exceptional Item 7, Maintain CPS Current Caseload;**

### **Exceptional Item 8, Maintain Statewide Intake Current Caseload; and**

### **Exceptional Item 9, Maintain APS MH/MR Current Caseload**

Based on increases in workload projections for FY 2006-2007, the agency needs additional staff to meet increased demand for services in CPS, Statewide Intake, and APS MH/MR Investigations programs. High caseloads result in employee burnout and high turnover which is costly to the agency and impact safety to the children and adults we serve. Additional funding for a staffing level to handle the projected number of calls, reports, and investigations over the next biennium at the current level of response (i.e. maintaining the current caseloads per worker) for these programs is requested in these items.

### **Exceptional Item 10, Increase Monitoring of Licensed Facilities**

In order to ensure the protection of children, additional Child Care Licensing staff are needed so that monitoring, training, and technical assistance activity for licensed centers can be increased. Additional Residential Child Care Licensing staff are also needed in order to perform routine monitoring of the more than 5,100 foster homes verified by private child-placing agencies and the more than 3,400 foster homes verified by CPS, and to provide technical assistance and training to agency staff and foster home parents that would assist them in improving the care of children. These additional staff resources are requested in this item.

### **Exceptional Item 11, Statewide Intake Technology**

The Statewide Intake call center is the largest operation of its kind in the United States due to Texas' high population and the centralization of this business function. Technology resources must be utilized to address the more than 50,000 calls received each month as well as to address the information management and reporting that is crucial to the effective management of Statewide Intake. This 24-hour call center utilizes hardware and software that is standard in the call center industry to route phone calls to appropriate queues, operate the phone system and

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manage the workforce. Some crucial aspects of this technological infrastructure are now reaching the end of their lifespan. Funding is being requested for upgrades and improvements.

#### **Exceptional Item 12, Restore/Re-establish Prevention Services**

Prevention is still seen as a key to help control the spiraling costs of abuse and neglect of children. During the 78th Legislative session, funding was eliminated or reduced for almost all of the prevention and early intervention (PEI) programs at DFPS. Resources need to be directed towards high-risk populations, while still addressing the needs of those teens that have less severe or borderline behavioral problems. This item requests the restoration of the funding cuts for Services to At-Risk Youth, Community Youth Development, At-Risk Mentoring, Healthy Families and Parents As Teachers programs so that these PEI programs can be continued at their FY 2003 levels.

#### **Exceptional Item 13, Infrastructure Upgrades/Improvements**

The DFPS technology infrastructure is crucial to the business operations and therefore the service delivery provided by the agency. Periodic upgrades and improvements are critical to ensure continued effective service delivery. Funding is being requested in this item to maintain the data network, meet IMPACT application requirements, and provide security assurances through the next biennium.

#### **Exceptional Item 14, IMPACT Enhancements**

This item requests funding to improve functionality of the IMPACT application that will allow anticipated future IMPACT demands to be met, that will reduce vendor time and effort for billing of services, and that will increase effective information sharing between state agencies.

#### **Exceptional Item 15, Restore Foster Care Rate Funding**

FY 2004-2005 appropriated funding for the average daily rate for foster care represents a 3% reduction from the FY 2003 average daily rate. A partial rate restoration of 1% was approved and put in place for FY 2004-2005, resulting in a net reduction of 2% in the average daily rate. This item requests the funding needed to restore this net rate reduction to the average daily rate paid in FY 2003. This item assumes that FY 2005 rates are restored (Exceptional Item 1), and that projected caseload growth is funded (Exceptional Item 2).

#### **Exceptional Item 16, Foster Care Rate Adjustment**

DFPS is also requesting additional funding to address residential child care provider cost increases such as staff salaries and inflation on expenses such as gasoline, food, and utilities. This item requests funding for a 3.36% rate adjustment that is based on the April 2004 forecasted Personal Consumption Expenditure (PCE) inflator. This item assumes that the average daily rate for projected caseload growth is restored to the FY 2003 level (Exceptional Item 15).

#### **Exceptional Item 17, Enhance Permanency for Children**

Pursuant to permanency legislation passed by the 75th Legislature, CPS policy reflects permanency goals that focus on finding permanent families for all children in care. This item requests funding for seven initiatives designed to enhance permanency for children through expanded services. These initiatives include the expansion of family group decision making and

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kinship care, increasing the recruitment of foster and adoptive parents, and additional supports for adoption and post adoption.

### **Exceptional Item 18, Program Director & Program Administrator Upgrades**

Currently there is a disincentive for caseworkers to move into Program Director and Program Administrator positions because the pay groups do not provide an appropriate salary differential for the increased responsibilities of these jobs. This item requests funding for salary upgrades for Program Directors and Program Administrators in the CPS program and Statewide Intake to provide a greater incentive for tenured workers to become managers. This salary upgrade would help improve retention and develop a better-trained staff for these critical positions.