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# **SB 758 Implementation Plan**

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A Report from

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

**December 31, 2007**

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## **SB 758 Implementation Plan**

### **Introduction**

Senate Bill (SB) 758, by Senator Jane Nelson and Representative Patrick Rose, passed by the 80<sup>th</sup> Texas Legislature, is the continuation of the Texas Department of Family and Protective Services' (DFPS) reform, focused primarily on the Child Protective Services (CPS) program. Specifically, Section 51 of SB 758 requires DFPS to develop a child protective services improvement plan designed to build on the reform efforts added by Chapter 268, Acts of the 79<sup>th</sup> Legislature, Regular Session 2005, and outlined in SB 6 of the 79<sup>th</sup> Texas Legislative Session. The first phase of reform focused more on the investigation stage of the protective services system, whereas SB 758 addresses other parts of the system that will help keep families together, reduce the length of time children are in foster care, and improve the quality and accountability of the foster care system.

Section 52 (a) of SB 758 states: Not later than December 31, 2007, the Department of Family and Protective Services shall prepare and submit a detailed plan for:

- (1) the implementation of each element of the child protective services improvement plan required by Section 51 of this Act for which funding has been obtained; and
- (2) the continued implementation of all child protective services reform activities required by Chapter 268, Acts of the 79<sup>th</sup> Legislature, Regular Session, 2005, as modified by this Act.

Following the requirements of Section 52, this report describes the plans for and progress made in implementing:

- all the provisions in the child protective services improvement plan;
- other significant provisions in SB 758 that are not included in the improvement plan; and
- provisions in SB 758 that continue implementation of Child Protective Services (CPS) reform as required by the 79<sup>th</sup> Legislature.

### **Implementation of CPS Improvement Plan**

The CPS Improvement Plan, as outlined in SB 758, Section 51, is designed to enhance services for children and families after an investigation indicates risk factors. The plan expands and modifies initiatives that have resulted in demonstrable improvements and that serve the primary goals of:

- keeping families together while ensuring child safety in the home;
- reducing the length of time children remain in state care; and
- improving the quality and accountability of foster care.

Per Section 51 Subsection (b), the improvement plan must include:

- (1) expanding the use of family group decision-making;
- (2) reducing caseloads for caseworkers providing family-based safety services and ongoing substitute care services;
- (3) implementing an enhanced in-home support program, as enacted by Section 264.2011, Family Code, as added by this Act, to provide enhanced in-home supports to certain families;
- (4) providing additional purchased client services designed to keep families together and to reunite families more quickly while ensuring child safety;
- (5) enhancing support of kinship placements by hiring or contracting to provide additional kinship workers to provide additional support and education to relative placements and purchasing additional support services for relative placements;
- (6) enhancing services needed to support court services and preparation of records for adoptive placement;
- (7) improving the quality and accountability of child-care licensing monitoring and investigations by assigning those functions to separate staff, providing specialized training to staff who perform each function, performing additional investigations of certain reports involving young children, and providing additional support and oversight to both functions;
- (8) expanding substitute and adoptive placement quality and capacity in local communities through the procurement of a statewide needs assessment and through implementation of recommendations for expanding and improving provider capabilities;
- (9) streamlining criminal history background checks to increase the efficiency and effectiveness of those checks;
- (10) improving the quality of services delivered by the Department of Family and Protective Services through expanded use of mobile technology and enhancements to the department's CLASS and IMPACT database systems and operations;
- (11) expanding implementation of the remediation plan required under Section 1.54, Chapter 268, Acts of the 79<sup>th</sup> Legislature, Regular Session, 2005, to address racial or ethnic disparities in foster care; and
- (12) implementing a statewide pilot program for a time-limited, posthospitalization "step-down" rate, approved by the executive commissioner of the Health and Human Services Commission, to support the successful transition of children who have experienced or are likely to experience multiple inpatient admissions in a psychiatric hospital to an appropriate level of care.

### **Keeping Families Together While Ensuring Child Safety in the Home**

In order to help keep families together, the 80<sup>th</sup> Texas Legislature provided DFPS with the resources to ensure that more children can remain safely in their own

homes through the provision of family preservation services and additional purchased services for children and families prior to removal. This goal includes:

- expanding the use of Family Group Decision-Making [Section 51, Subsection (b), Subdivision (1) in part];
- reducing caseloads for caseworkers providing family-based safety services [Section 51, Subsection (b), Subdivision (2) in part];
- implementing an enhanced in-home support program to provide enhanced in-home supports to certain families [Section 51, Subsection (b), Subdivision (3)]; and
- providing additional purchased client services designed to keep families together while ensuring child safety [Section 51, Subsection (b), Subdivision (4) in part].

○ **Family Group Decision-Making During an Investigation**

Family Group Decision-Making (FGDM) is a model where DFPS staff facilitate interactions with family and other support persons to the child and engage families in problem-solving. DFPS has been using FGDM in the CPS substitute care stage (after a child is removed from the home) since December 2003.

DFPS is expanding FGDM to also make it available to families during an investigation to help prevent the removal of children. This is part of the CPS Family Focus Initiative designed to enhance safety, permanency, and well-being for children through the direct involvement of their family.

The Family Team Meeting (FTM) is the application of FGDM *before* a child enters substitute care and is used to achieve positive outcomes for children in the earliest stages of DFPS interactions. It is designed as a rapid response to child safety and placement concerns.

In March 2006, CPS developed a plan to expand use of the FGDM model to the investigation stage of service. The 80<sup>th</sup> Legislature funded 31 new positions, including 25 new facilitators, to hold Family Team Meetings during an investigation. The goal over the next biennium is to conduct FTMs in 11-12% of confirmed investigations.

*Implementation Plan:*

• Determine regional allocation of 31 new positions and create the positions	Completed July 2007
• Establish eligibility criteria for families	Completed September 2007
• Train existing FGDM staff	Completed September 2007
• Hold a stakeholder meeting to provide information on the FTM model as well as other components of the family focus initiative	Completed September 24, 2007

<ul style="list-style-type: none"> <li>• Begin incorporating FTMs into the investigative stage of service</li> </ul>	Completed October 2007
<ul style="list-style-type: none"> <li>• Develop policy for the use of FTMs, approve through Legal, and publish in the CPS handbook</li> </ul>	Completed November 2007
<ul style="list-style-type: none"> <li>• Hire and train new staff</li> </ul>	Began September 2007 – <i>Estimated Completion Date January 2008</i>

○ **Reducing Caseloads for Family-Based Safety Services Caseworkers**

National data shows that regular, meaningful contact in Family-Based Safety Services (FBSS) cases is directly related to positive outcomes for children in these cases. DFPS policy requires standards for monthly contacts for three levels of intensity for FBSS cases: regular, moderate, and intense. Funding was provided for 236 additional FBSS staff, including 144 caseworkers, in FY 2008 and an additional 112 staff, including 68 caseworkers, in FY 2009, so that caseloads could be lowered and policy standards could be met. Lower caseloads will improve safety for children, improve child and family well-being, and divert children from entering the foster care system. Despite an increase in cases over the next biennium, the additional FBSS staff allows DFPS to project an average daily caseload of 25.9 for FY 2008 and 23.3 for FY 2009.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Determine regional allocation of 236 new positions for FY 2008</li> </ul>	Completed July 2007
<ul style="list-style-type: none"> <li>• Create positions according to the phase-in schedule</li> </ul>	Began September 2007 – <i>Estimated Completion Date February 2009</i>
<ul style="list-style-type: none"> <li>• Hire and train new staff for FY 2008</li> </ul>	Began September 2007 – <i>Estimated Completion Date December 2008</i>
<ul style="list-style-type: none"> <li>• Determine regional allocation of 112 new positions for FY 2009</li> </ul>	<i>Estimated Implementation Date July 2008</i>
<ul style="list-style-type: none"> <li>• Hire and train new staff for FY 2009</li> </ul>	<i>Estimated Implementation Dates September 2008 – June 2009</i>

○ **Strengthening Families through Enhanced In-Home Support Program**

The “Strengthening Families through Enhanced In-Home Support” pilot project expands on the current Family-Based Safety Services (FBSS) model by using Temporary Assistance for Needy Families (TANF) funding to help offset certain poverty-related factors. Providing this assistance will help families working with

CPS to avoid removal of children and speed the process of reunification of children with their families.

The funding will have two components: Family Enhancement (a cash assistance component with a maximum cumulative amount of \$250) and Family Empowerment and/or Purchased Goods and Services (a component for activities and/or purchased goods and services with a maximum cumulative amount of \$3,000). Families will use the funding at various times in the life of the case with the objectives of maintaining the safety of the child and meeting the child's needs; relieving stress in the family; and enhancing family strengths, stability and functioning.

The pilot start date goal is January 2008. Because this is a pilot program, it will not be widely available, but will be offered at limited locations in each region and to targeted families. Seventy-three caseworkers statewide will participate in this program, and the caseload size will be limited to 8-10 families. The target for this program is to serve approximately 1,500 families and to prevent 500 children from being removed from their family.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Work with the Health and Human Services Commission (HHSC) to determine how to administer TANF monetary funds</li> </ul>	Completed September 2007
<ul style="list-style-type: none"> <li>• Discuss implementation of the Strengthening Families program with internal and external stakeholders</li> </ul>	Completed September 2007
<ul style="list-style-type: none"> <li>• Develop draft rules and present to the DFPS Advisory Council</li> </ul>	Completed October 5, 2007
<ul style="list-style-type: none"> <li>• Identify the 73 staff statewide who will work cases in this pilot program</li> </ul>	Completed November 2007
<ul style="list-style-type: none"> <li>• Develop referral process from the various stages: Investigation, FBSS and substitute care</li> </ul>	Began November 2007 – <i>Estimated Completion Date January 2008</i>
<ul style="list-style-type: none"> <li>• Draft and approve Strengthening Families program policy</li> </ul>	Began November 2007 – <i>Estimated Completion Date January 2008</i>
<ul style="list-style-type: none"> <li>• Develop policies and procedures for ensuring funds are spent in accordance with the family plan</li> </ul>	Began November 2007 – <i>Estimated Completion Date January 2008</i>
<ul style="list-style-type: none"> <li>• Devise evaluation plan of the program</li> </ul>	Completed December 2007
<ul style="list-style-type: none"> <li>• Hold an external stakeholder meeting</li> </ul>	Completed December 3, 2007
<ul style="list-style-type: none"> <li>• Hold initial internal training and “kick-off” meeting</li> </ul>	Completed December 7, 2007

<ul style="list-style-type: none"> <li>• Develop and deliver training curriculum to all levels of CPS direct-delivery staff involved in the FBSS and Family Reunification stages</li> </ul>	Began December 2007 – <i>Estimated Completion Date January 2008</i>
<ul style="list-style-type: none"> <li>• Develop IMPACT (case management system) changes to meet the needs of the program and evaluation for data collection</li> </ul>	Began December 2007 – <i>Estimated Completion Date February 2008</i>
<ul style="list-style-type: none"> <li>• Develop method and tracking payment mechanism</li> </ul>	<i>Estimated Implementation Dates January – February 2008</i>

○ **Additional Purchased Client Services Designed to Keep Families Together**

Funding for purchased client services was provided in addition to the \$23.9 million base to help families maintain children safely in their own homes. Approximately \$4.4 million for the biennium will be used for additional substance abuse testing and treatment, and child welfare protective services such as homemaker services and assessment and treatment.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Incorporate additional funding into baseline funding for purchased client services and allocate all purchased client services dollars to the regions for designated purposes</li> </ul>	Completed October 2007
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**Reducing the Length of Time Children Remain in State Care**

In order to reduce the length of time children remain in the foster care system, the 80<sup>th</sup> Legislature provided DFPS with additional resources to offer services that are realistic, accessible and available to children and families; to lower substitute care caseloads to meet federal requirements; and to achieve permanency in a timely manner. This goal includes:

- expanding the use of Family Group Decision-Making [Section 51, Subsection (b), Subdivision (1) in part];
- reducing caseloads for caseworkers providing ongoing substitute care services [Section 51, Subsection (b), Subdivision (2) in part];
- providing additional purchased client services designed to reunite families more quickly while ensuring child safety [Section 51, Subsection (b), Subdivision (4) in part];
- enhancing support of kinship placements by hiring or contracting to provide additional kinship workers to provide additional support and education to relative placements and purchasing additional support services for relative placements [Section 51, Subsection (b), Subdivision (5)]; and

- enhancing services needed to support court services and preparation of records for adoptive placement [Section 51, Subsection (b), Subdivision (6)].

○ **Expanding Family Group Decision-Making After Removal**

Since its inception in December 2003, FGDM after removal has resulted in more children being placed with relatives, children having shorter stays in care, and more children being reunited with their families, compared to more traditional services. It began as a pilot program in five cities and has spread to where it is now offered to families experiencing a removal in at least one major population center in each region. Over 7,000 Texas families have participated as partners with CPS and their communities in securing the protection and safety of their children through FGDM in the substitute care stage (after children are removed from their families and placed in alternate care), specifically using Family Group Conferences and Circles of Support.

The 80<sup>th</sup> Legislature funded 53 additional positions, including 42 facilitators, to provide FGDM to more families experiencing a removal. Each FGDM facilitator can conduct on average 10 conferences per month. DFPS estimates that the total number of FGDM facilitators will conduct 9,840 conferences in FY 2008, a significant increase over the 2,948 conferences conducted in FY 2007.

*Implementation Plan:*

• Determine regional allocation of 53 new positions and create the positions	Completed July 2007
• Hire and train new staff	Began September 2007 – <i>Estimated Completion Date</i> January 2008

○ **Reducing Caseloads for Substitute Care Caseworkers**

National data has shown that regular, meaningful contact with children in the substitute care system is directly related to positive case outcomes. Recent federal legislation requires caseworkers to visit at least once a month with each child in substitute care, when appropriate, according to the permanency goal. Regular visits allow the caseworker to ensure the safety of the child and continue progress on the service plan and permanency goal for the child. The federal legislation allows a phase-in approach by requiring states to implement a plan that will result in the achievement of these monthly face-to-face contacts with 90% of children in substitute care by 2011.

Funding was provided for 321 additional substitute care staff, including 252 caseworkers, in FY 2008 and an additional 180 staff, including 120 caseworkers, in FY 2009, to meet the 90% requirement. Benefits include increased child

safety and quicker permanency for children. Despite an increase in cases over the next biennium, the additional staff allows DFPS to project a caseload of 45.5 for FY 2008 and 41.4 for FY 2009.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Determine regional allocation of 252 new positions for FY 2008</li> </ul>	Completed July 2007
<ul style="list-style-type: none"> <li>• Create positions according to the phase-in schedule</li> </ul>	Began July 2007 – <i>Estimated Completion Date December 2008</i>
<ul style="list-style-type: none"> <li>• Hire and train new staff for FY 2008</li> </ul>	Began September 2007 – <i>Estimated Completion Date December 2008</i>
<ul style="list-style-type: none"> <li>• Determine regional allocation of 180 new positions for FY 2009</li> </ul>	<i>Estimated Implementation Date July 2008</i>
<ul style="list-style-type: none"> <li>• Hire and train new staff for FY 2009</li> </ul>	<i>Estimated Implementation Dates September 2008 – April 2009</i>

○ **Additional Purchased Client Services to Reunite Families More Quickly**

Funding for purchased client services was provided in addition to the existing \$56.3 million base to reunite children with their families more quickly. Approximately \$5.7 million for the biennium will be used for additional substance abuse testing and treatment, and services for children and families such as counseling and therapy.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Incorporate additional funding into baseline funding for purchased client services and allocate all purchased client services dollars to the regions for designated purposes</li> </ul>	Completed October 2007
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○ **Enhancing Support of Kinship Placements**

Senate Bill 6, 79<sup>th</sup> Legislative Session, established the Relative and Other Designated Caregiver Placement Program to promote continuity and stability for children in state care by placing them with relative or other designated caregivers and providing assistance and services to those caregivers. The number of kinship development workers had not been matched with the increase in kinship placements, resulting in the inability to provide the full range of support services for kinship placements in all areas of the state. The success of a child’s kinship placement is often directly related to the supports provided to the kinship caregivers.

The 80<sup>th</sup> Legislature funded an additional 73 staff positions, including 54 kinship workers, for FY 2008, and an additional 20 staff, including 15 workers, for FY 2009. With these new positions, CPS anticipates being able to handle all projected kinship placements with an average caseload of 45 cases per worker.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>Determine regional allocation of 73 new positions for FY 2008</li> </ul>	Completed July 2007
<ul style="list-style-type: none"> <li>Create positions according to the phase-in schedule</li> </ul>	Began July 2007 – <i>Estimated Completion Date August 2009</i>
<ul style="list-style-type: none"> <li>Hire and train new staff for FY 2008</li> </ul>	Began September 2007 – <i>Estimated Completion Date December 2008</i>
<ul style="list-style-type: none"> <li>Determine regional allocation of 20 new positions for FY 2009</li> </ul>	<i>Estimated Implementation Date July 2008</i>
<ul style="list-style-type: none"> <li>Hire and train new staff for FY 2009</li> </ul>	<i>Estimated Implementation Dates September 2008 – December 2009</i>

○ **Enhancing Support of Court Services and Preparation of Records**

In order to reduce the length of time children remain in state care and achieve permanency in a more timely manner, DFPS identified two areas related to legal services that required additional resources: redaction and court personnel. As a result, the 80<sup>th</sup> Legislature funded 33 new legal staff (ten redactor positions and 23 attorney/support staff positions).

When a family or individual is interested in adopting a child, they have the right to review the child’s CPS record in its entirety. However, certain information is confidential by law and must be “redacted”, or de-identified, and photocopied before the record can be provided to the prospective adoptive parent. CPS files are hundreds of pages long. The additional ten redactor positions will enable DFPS to eliminate the backlog of adoption cases needing redaction and will ensure that new adoption cases are de-identified efficiently. Delays in completing redaction of records for adoption directly affect permanency for children, because they ultimately delay the identification of prospective adoptive parents and consummation of adoptions.

The 23 additional court personnel positions will enhance the provision of legal services around the state. Additional support staff and attorneys will have a direct and immediate impact on the representation of CPS, considering the large workloads and travel demands. Two additional attorney positions were allocated to Region 8 to provide immediate relief to a heavy workload. Nine legal assistant

positions were added to regional legal offices to enable the attorneys to handle a greater caseload. In addition, 12 legal secretary positions were assigned to various offices of District and County Attorneys who represent CPS in court and have requested additional support to be able to continue representing CPS.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Hold a statewide work session for redactors to train them on standard guidelines for redaction of adoption files and a reporting system that indicates where backlogs may be developing so that resources can be shifted to address the problem</li> </ul>	Completed December 2006
<ul style="list-style-type: none"> <li>• Standardize the referral form used by DFPS to request de-identification of any file, thereby ensuring better tracking of files</li> </ul>	Completed January 2007
<ul style="list-style-type: none"> <li>• Determine regional allocation of 33 new positions and create the positions</li> </ul>	Completed June 2007
<ul style="list-style-type: none"> <li>• Implement a system that will permit attorneys from one region to serve as special litigators in another region to assist regions that have the greatest number of court cases as needed on a temporary basis</li> </ul>	Completed June 2007
<ul style="list-style-type: none"> <li>• Reducing the turnaround time on all adoption redactions to one week</li> </ul>	Completed July 2007
<ul style="list-style-type: none"> <li>• Hire and train new staff</li> </ul>	Completed October 2007
<ul style="list-style-type: none"> <li>• Devise a statewide solution to the problem of the adoption cases backlog while staying current with new adoption files</li> </ul>	Completed October 2007
<ul style="list-style-type: none"> <li>• Eliminate the backlog on redaction of adoption files</li> </ul>	Completed November 2007

**Improving the Quality and Accountability of Foster Care**

Finally, as part of the CPS Improvement Plan, the 80<sup>th</sup> Legislature also gave DFPS the resources to improve the quality and accountability in regulatory services delivered by DFPS and services delivered by contracted providers, as well as to expand substitute care quality and capacity in local communities. This goal includes:

- improving the quality and accountability of child-care licensing monitoring and investigations by:
  - assigning those functions to separate staff,
  - providing specialized training to staff who perform each function,
  - performing additional investigations of certain reports involving young children, and

- providing additional support and oversight to both functions [Section 51, Subsection (b), Subdivision (7)];
  - expanding substitute and adoptive placement quality and capacity in local communities through the procurement of a statewide needs assessment and through implementation of recommendations for expanding and improving provider capabilities [Section 51, Subsection (b), Subdivision (8)];
  - streamlining criminal history background checks to increase the efficiency and effectiveness of those checks [Section 51, Subsection (b), Subdivision (9)];
  - improving the quality of services delivered by DFPS through expanded use of mobile technology and enhancements to the department’s CLASS and IMPACT database systems and operations [Section 51, Subsection (b), Subdivision (10)];
  - expanding implementation of the remediation plan required under Section 1.54, Chapter 268, Acts of the 79<sup>th</sup> Legislature, Regular Session, 2005, to address racial or ethnic disparities in foster care [Section 51, Subsection (b), Subdivision (11)]; and
  - implementing a statewide pilot program for a time-limited, post-hospitalization “step-down” rate, approved by the executive commissioner of HHSC, to support the successful transition of children who have experienced or are likely to experience multiple inpatient admissions in a psychiatric hospital to an appropriate level of care [Section 51, Subsection (b), Subdivision (12)].
- **Improving Child Care Licensing Monitoring and Investigations**

SB 758 strengthened Child Care Licensing (CCL) oversight of residential child care operations through more thorough, objective and specialized monitoring and investigations of foster care providers. Funding was provided for 84 additional staff, including 40 workers, to allow Residential Child Care Licensing (RCCL) to create functional units for monitoring and investigations, take on investigations in private Child Placing Agency (CPA) foster homes involving children under age 6, and intensify monitoring of CPAs. CCL will also strengthen investigations by creating child risk analysts and investigation analysts, and enhance quality assurance activities by creating performance management analysts.

The additional 40 workers will assist RCCL in taking on all investigations in CPAs involving children under the age of six. Prior to SB 758, the investigations involving reports of minimum standards violations were done by the staff of the CPA. Because of the age of the children, these investigations are often higher risk, so, by taking on this function, the additional workers will ensure greater oversight by RCCL. The additional workers will also allow the creation of functional units for both monitoring and investigations, resulting in more specialized and objective regulation of residential child care operations and CPAs. These additional staff will also assist in conducting one annual

enforcement team conference for each CPA in order for RCCL staff to thoroughly review investigations and inspections for the CPA and its agency homes. RCCL staff will also conduct at least one annual team inspection of every residential child-care facility and CPA.

Organizational changes include the creation of a CCL Investigation Division to oversee all investigation policy and training and provide consultation and technical assistance on investigations where children are at highest risk, such as child deaths. The investigation analysts will support abuse and neglect investigations in licensed care by gathering additional information about the allegation to determine risk to children, the prioritization of the investigation, and the advancement of the investigation when necessary.

A CCL Performance Management Division will review both the monitoring and investigation work of CCL staff to ensure that all policies and procedures are followed, staff are making decisions based on reducing risk to children, and outcomes for children improve as a result of regulation. The addition of risk analysts will allow for second-level reviews of residential facilities and child placing agencies whose compliance history indicates risk to children.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>Identify the activities that could be assigned to the risk analysts, the investigation analysts, and the performance management analysts</li> </ul>	Completed August 2007
<ul style="list-style-type: none"> <li>Communicate these policy changes to child-placing agencies and post on the DFPS website</li> </ul>	Completed September 7, 2007
<ul style="list-style-type: none"> <li>Hire and train new staff</li> </ul>	Began September 2007 – <i>Estimated Completion Date March 2008</i>
<ul style="list-style-type: none"> <li>Phase-in annual team inspections and team conferences</li> </ul>	Began September 2007 – <i>Estimated Completion Date August 31, 2008</i>
<ul style="list-style-type: none"> <li>Reorganize RCCL into functional units and create new divisions</li> </ul>	Completed October 2007
<ul style="list-style-type: none"> <li>Develop and propose draft rules regarding RCCL’s investigations of allegations involving children under age six to the DFPS Advisory Council</li> </ul>	Completed October 5, 2007
<ul style="list-style-type: none"> <li>Publish the draft rules in the Texas Register for public comment</li> </ul>	Completed November 2, 2007
<ul style="list-style-type: none"> <li>Create new positions and develop job descriptions for newly created functions</li> </ul>	Completed December 2007

<ul style="list-style-type: none"> <li>Develop the performance management policy, procedures, and reports</li> </ul>	<i>Estimated Implementation Dates January 2008 – August 31, 2008</i>
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○ **Expanding Substitute and Adoptive Placement Quality and Capacity**

Finding appropriate placements for children who come into foster care remains difficult because the needs of the children do not always match up with the kind of placements available. DFPS received resources to increase substitute care capacity so that all children are quickly matched with placements that meet their individual needs.

In order to begin addressing this issue, DFPS will procure a needs assessment that will include an analysis of gaps in residential service quality and capacity, prioritization of regional service needs, objective identification of barriers to meeting priority needs, and recommendations for DFPS and the provider community to improve services. The needs analysis will be used to identify service strengths, gaps, and barriers to capacity building and will lead to the development of a strategic plan to enhance substitute care capacity.

DFPS also received funding for four new positions that will be responsible for capacity building and provider development. These new functions include reaching out to potential providers for services, educating them about the complexity of the system, and providing training to both potential and existing providers. The goal is to create more placement options for children in foster care and to improve services for children by working with providers on the service gaps in their area.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>Gather information from a Casey Family Programs Peer Technical Assistance meeting that will be used to streamline and improve the placement process for children in need of out-of-home care</li> </ul>	Completed November 12-13, 2007
<ul style="list-style-type: none"> <li>Create new positions and develop job descriptions for newly created functions</li> </ul>	Completed November 2007
<ul style="list-style-type: none"> <li>Develop the scope of work for the procurement of the needs assessment</li> </ul>	Began November 2007 – <i>Estimated Completion Date January 2008</i>
<ul style="list-style-type: none"> <li>Hire and train new staff</li> </ul>	Began December 2007 – <i>Estimated Completion Date February 2008</i>
<ul style="list-style-type: none"> <li>Procurement of needs assessment</li> </ul>	<i>Estimated Completion Date March 2008</i>

<ul style="list-style-type: none"> <li>Statewide needs analysis completed</li> </ul>	<i>Estimated Completion Date July 2008</i>
<ul style="list-style-type: none"> <li>Develop a strategic plan from needs analysis</li> </ul>	<i>Estimated Completion Date December 2008</i>

o **Streamlining Criminal History Background Checks**

Criminal background checks have become increasingly complex, particularly the work involved in reviewing and interpreting criminal history records, positively identifying individuals and matching identities to criminal and central registry (abuse/neglect) histories, and offering due process to designated perpetrators of child abuse and neglect. Background checks were performed in the various program areas of the agency, but due to the complexity and volume of background checks conducted, SB 758 directed DFPS to create a centralized background check unit to expedite results and enhance agency consistency and expertise. The 80<sup>th</sup> Legislature funded 31 new positions for this purpose.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>Hire and train new staff</li> </ul>	<i>Began September 2007 – Estimated Completion Date January 2008</i>
<ul style="list-style-type: none"> <li>Consolidate Centralized Background Check Unit staff into one location</li> </ul>	<i>Began November 2007 – Estimated Completion Date January 2008</i>
<ul style="list-style-type: none"> <li>Reorganize and create new positions</li> </ul>	<i>Completed December 2007</i>
<ul style="list-style-type: none"> <li>Develop a quality assurance plan</li> </ul>	<i>Estimated Implementation Dates January 2008 – June 2008</i>
<ul style="list-style-type: none"> <li>Consolidate existing policies and procedures to enhance consistency and expertise</li> </ul>	<i>Estimated Implementation Dates January 2008 – August 2008</i>
<ul style="list-style-type: none"> <li>Centrally facilitate required background checks, including FBI checks, for Child Care Licensing, Purchased Client Services, and CPS</li> </ul>	<i>Estimated Implementation Dates January 2008 – August 31, 2009</i>

o **Expanding the Use of Mobile Technology and Enhancements to the CLASS and IMPACT Database Systems and Operations**

An important aspect of the CPS Improvement Plan is the expansion of the use of tablet personal computers (PCs) and portable accessories to Child Care Licensing (CCL) monitoring and investigative staff and to half of CPS substitute care caseworkers. These resources will facilitate increased timeliness of necessary documentation and improve the quality of assessments and decision-making by providing a mechanism for quick communication and information

reference. The CCL residential and day care staff will use tablet PCs and portable printers to complete forms in the field and leave a copy of their findings with providers. This immediate turnaround will reduce confusion for child care providers and allow them to address problems quickly by eliminating a ten-day wait for a finalized letter to be sent. Likewise, CPS substitute care staff will be able to enter their case notes from the field and automatically incorporate them into the IMPACT (case management) system without requiring field network or wireless connectivity.

In addition, DFPS is conducting a mobile caseworker pilot that is identifying policy, training and resource modifications that further increase caseworkers' time spent in the field. Participants are using a modified work approach that provides more work location flexibility, autonomy, and associated resources (e.g., portable printers, electronic faxing capability), and reduces their presence in a DFPS office. This pilot is examining the possible improvements this model may have on work performance, staff retention and overall agency costs.

The CLASS application, used by DFPS to document all licensing activities, will be expanded to provide possible recommended actions based on an operation's history and weighted standards. This is intended to ensure Texas child care providers meet a consistent level of performance and are evaluated equally across the state. Further CLASS enhancements to the system's method of tracking foster homes and their movement among child-placing agencies will also be incorporated.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Conduct a Mobile Caseworker pilot with 40 participants in regions 2, 8 and 9</li> </ul>	<p>Began September 2007 – <i>Estimated Completion Date</i> February 2008</p>
<ul style="list-style-type: none"> <li>• Incorporation of weighted standards into CLASS to create the Weighted Enforcement System</li> </ul>	<p>Began September 2007 – <i>Estimated Implementation</i> <i>Date</i> August 2008</p>
<ul style="list-style-type: none"> <li>• Develop application for enhancements to CLASS and create a mobile application for release</li> </ul>	<p>Began October 2007 – <i>Estimated Completion Date</i> Summer/Fall 2008</p>
<ul style="list-style-type: none"> <li>• Perform business process analysis for CCL monitoring and investigation and for CLASS automation enhancements</li> </ul>	<p>Began November 2007 – <i>Estimated Completion Date</i> February 2008</p>
<ul style="list-style-type: none"> <li>• Develop and implement the Foster Home Tracking System</li> </ul>	<p>Began November 2007 – <i>Estimated Completion Date</i> October 2008</p>
<ul style="list-style-type: none"> <li>• Develop and implement the Public Website Application</li> </ul>	<p>Began November 2007 – <i>Estimated Completion Date</i> October 2008</p>

<ul style="list-style-type: none"> <li>• Develop a plan for the roll-out of the new equipment to CCL and CPS substitute care staff</li> </ul>	<p>Began December 2007 – <i>Estimated Completion Date Spring 2008</i></p>
<ul style="list-style-type: none"> <li>• Evaluate the Mobile Caseworker pilot</li> </ul>	<p><i>Estimated Evaluation Dates February 2008 – April 2008</i></p>

○ **Expanding Implementation of the Remediation Plan to Address Disproportionality in Foster Care**

In Texas, African-American children are more likely to enter the child welfare system than those of other ethnicities. African-American children represent 12.6% of the state’s child population, but account for 26.1% of children brought into the foster care system, and 34% of the children waiting for adoption. Section 1.54 of SB 6, passed by the 79<sup>th</sup> Legislature, required DFPS to mitigate the disproportionate representation of minority races and ethnicities in all phases of child welfare services delivery by:

- delivering cultural competency training to all service delivery staff;
- increasing targeted recruitment for foster and adoptive families;
- targeting hiring recruitment efforts to ensure diversity among DFPS staff; and
- developing partnerships with community groups to provide culturally competent services to children and families.

Disproportionality sites were established in three regions (Houston, Arlington/Fort Worth, Beaumont/Port Arthur) with disproportionality specialists to support the community’s work on disproportionality and serve as resources to CPS staff.

The 80<sup>th</sup> Legislature provided the funding for eight additional disproportionality specialists so that DFPS could expand disproportionality sites to every region. In addition, funding was provided for specific training on undoing racism. This broad-based approach will allow DFPS to develop collaborative partnerships with community groups, agencies, faith-based organizations and other community organizations to provide culturally competent services to children and families of every race and ethnicity.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Create new positions</li> </ul>	<p>Completed July 2007</p>
<ul style="list-style-type: none"> <li>• Hire and train new staff</li> </ul>	<p>Began September 2007 – <i>Estimated Completion Date February 2008</i></p>
<ul style="list-style-type: none"> <li>• Identify regional disproportionality sites</li> </ul>	<p>Began December 2007 – <i>Estimated Completion Date April 2008</i></p>

<ul style="list-style-type: none"> <li>• Provide training on undoing racism to staff and selected community members and service providers in designated sites</li> </ul>	<i>Estimated Implementation Dates April 2008 – August 2008</i>
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○ **Implementing a Statewide Pilot Program for an Intense Psychiatric Services “Step-Down” Rate**

This program will allow DFPS to provide a new service for children and youth who are being discharged from psychiatric hospitals but who need additional treatment and support as they transition to a more traditional residential care setting. This new service is the Intensive Psychiatric Transition Program (IPTP) which provides a structured, therapeutic step-down environment to allow children and youth an opportunity to further stabilize following hospitalization and maximize the chances that their subsequent placement will be successful. DFPS proposed rules for eligibility so that qualifying children must have been in DFPS conservatorship for the last 90 days, have had at least three psychiatric hospitalizations in the preceding 12 months, and are either ready for discharge from a psychiatric hospital or are at imminent risk of a fourth psychiatric hospitalization. The authorized daily payment rate to providers for this program is \$374.33.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Engage in an emergency procurement for the IPTP</li> </ul>	Completed November 8, 2007
<ul style="list-style-type: none"> <li>• Provide IPTP services through the two emergency procurement contractors</li> </ul>	Began November 2007 – <i>Estimated Completion Date March 2009</i>
<ul style="list-style-type: none"> <li>• Develop and release a Request for Information and Request for Proposal to competitively procure IPTP services within FY 2008</li> </ul>	Began December 2007 – <i>Estimated Completion Date October 2008</i>

**Implementation of Other Elements of SB 758**

In addition to the child protective services improvement plan as described in Section 51, SB 758 contains many other provisions that improve services for children in foster care, strengthen protections for children in licensed care, and support the department’s efforts to recruit families, retain caseworkers, and monitor contract performance.

○ **Pre-K Eligibility for Former Foster Children**

SB 758 Section 1 mandates that foster children and former foster children are eligible for free pre-kindergarten. DFPS has been working to amend policy and inform eligible families of this new benefit.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Include this initiative in local and statewide presentations by CPS Regional Education Specialists, and in their presentations to CPS staff in basic training and regional meetings</li> </ul>	Began July 2007 – <i>Estimated Completion Date August 2008</i>
<ul style="list-style-type: none"> <li>• Share this information in presentations, workgroups, and cross-functional meetings with external stakeholders such as CASA (Court-Appointed Special Advocates), child-placing agencies, and other state agencies and departments</li> </ul>	Began July 2007 – <i>Estimated Completion Date August 2008</i>
<ul style="list-style-type: none"> <li>• Work with internal and external stakeholders to announce this initiative in preparation for the beginning of the 2007-2008 school year</li> </ul>	Completed August 2007
<ul style="list-style-type: none"> <li>• Work with Early Childhood Education and Texas Education Agency staff to develop a letter of verification, training materials, and other information to send to CPS staff</li> </ul>	Completed in November 2007

○ **Adoption Subsidies for Children Who Might Remain in Foster Care**

SB 758 Section 4 will facilitate the adoption of a select group of children who would otherwise likely remain in foster care until age 18. Providing adoption assistance for children who are otherwise likely to age out of care will encourage families to provide a permanent home for these children and, if adopted, discontinue the state's foster care payments for those children. DFPS will propose rules that set a new maximum amount for adoption assistance that will be equal to the minimum foster care payment for the service level of the child at the time the adoption assistance agreement is signed (after deducting any portion paid to a child-placing agency).

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Communicate new subsidy information to CPS staff, who are already receiving inquiries from foster families about the higher adoption assistance rates</li> </ul>	Completed September 2007
<ul style="list-style-type: none"> <li>• Establish the criteria that will benefit those children the bill is targeting, without creating a disincentive for families to adopt quickly</li> </ul>	Began September 2007 – <i>Estimated Completion Date May 2008</i>
<ul style="list-style-type: none"> <li>• Identify a group of children that fits the legislation's criteria</li> </ul>	Began September 2007 – <i>Estimated Completion Date May 2008</i>

<ul style="list-style-type: none"> <li>Develop rules to propose to the DFPS Advisory Council and develop implementation plan</li> </ul>	<p><i>Estimated Completion Date October 2008</i></p>
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o **Case Management Pilot**

SB 758 Section 12 requires DFPS to develop a pilot program for the outsourcing of case management in up to 5% of CPS cases. However, no funding was allocated for this project.

Therefore, because no funding was received for this project, DFPS will not be procuring for this pilot and an alternate approach will be taken. DFPS will engage in outreach to receive feedback from providers and stakeholders to obtain information on alternate approaches for contracted case management.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>Conduct extensive outreach to providers and other stakeholders around the state via focus groups and other avenues to receive feedback that will provide DFPS with information about how providers envision a successful contracted case management model to function</li> </ul>	<p><i>Estimated Implementation Dates January 2008 – Fall 2008</i></p>
<ul style="list-style-type: none"> <li>Draft a proposal using stakeholder involvement that reflects a slow and calculated approach to contracting case management</li> </ul>	<p><i>Estimated Implementation Dates Summer 2008 – Fall 2008</i></p>
<ul style="list-style-type: none"> <li>Present the proposal to the Texas Legislature</li> </ul>	<p><i>Estimated Completion Date Fall 2008</i></p>

o **Monitoring Performance of Providers Through Data System**

SB 758 Sections 13 and 47 include provisions for implementing a data system to track quality assurance and other contracting tools to effectively manage, monitor, and evaluate contractors based on performance measures.

The Residential Contracts Management System will provide residential contract managers and program staff with centralized, automated methods of collecting and reporting contract monitoring data. The system will allow staff to identify problems contractors are experiencing statewide and trends over time among individual contractors that will aid with earlier risk detection and mitigation.

The project is currently in its planning phase, where recommendations for initial system requirements are being gathered based on results from business analysis and independent technical assessment.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Initiate the development of the Residential Contracts Management System</li> </ul>	Completed October 2007
<ul style="list-style-type: none"> <li>• Conduct business analysis to support system</li> </ul>	Began October 2007 – <i>Estimated Completion Date February 2008</i>
<ul style="list-style-type: none"> <li>• Guide the development of the system through the assessment and planning phase</li> </ul>	Began October 2007 – <i>Estimated Completion Date February 2008</i>
<ul style="list-style-type: none"> <li>• Secure federal funds to aid in system development</li> </ul>	Began December 2007 – <i>Estimated Completion Date February 2008</i>
<ul style="list-style-type: none"> <li>• Finalize requirements and begin detail design of the system</li> </ul>	<i>Estimated Implementation Dates February 2008 – Spring 2008</i>
<ul style="list-style-type: none"> <li>• Begin development and testing of the system</li> </ul>	<i>Estimated Implementation Dates Spring 2008 – Summer 2008</i>
<ul style="list-style-type: none"> <li>• Implement the system</li> </ul>	<i>Estimated Implementation Date Winter 2008</i>

○ **Working with OneStar and DARS**

SB 758 Section 16 includes a provision for OneStar Foundation to work with DFPS to assist with foster home recruitment. OneStar Foundation works on behalf of the State of Texas to strengthen the capacity of local communities to address their most pressing needs. The OneStar Foundation will be able to provide technical assistance and support DFPS' recruitment efforts within the faith-based community. There is also a provision that directs DFPS to work with the Department of Assistive and Rehabilitative Services (DARS) to recruit families for children who have hearing impairments.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Meet with OneStar Foundation to establish initial plan for recruiting foster homes</li> </ul>	Completed August 30, 2007
<ul style="list-style-type: none"> <li>• Meet with DARS to develop family recruitment strategies for children with hearing impairments</li> </ul>	Completed September 2007
<ul style="list-style-type: none"> <li>• Draft a joint proposal with OneStar in assessing recruitment efforts in Region 6, a disproportionality site, where efforts are not yielding the anticipated results</li> </ul>	Completed October 2007

<ul style="list-style-type: none"> <li>Form a workgroup that will consist of DARS staff, DFPS staff, and community stakeholders</li> </ul>	Completed December 3, 2007
<ul style="list-style-type: none"> <li>Meet with OneStar to finalize plan and begin the work</li> </ul>	Completed December 14, 2007
<ul style="list-style-type: none"> <li>Develop a brochure with DARS that will be utilized in targeted recruitment activities</li> </ul>	Completed December 2007

o **Court-Ordered Participation of Parents in Services**

SB 758 Section 20 addresses court-ordered services in Texas Family Code 264.203. The bill adds an additional situation in which the department can request court-ordered services: to reduce the reasonable likelihood that the child may be abused or neglected in the immediate or foreseeable future. Previously, the court had to find that abuse or neglect was present before the department could request the court to order such services.

CPS staff must continue to show that the services to be offered are designed to either alleviate past abuse or neglect or reduce the likelihood of future abuse or neglect and that staff attempted to get the parent to participate in the services voluntarily before asking for a court order.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>Send a memo to CPS staff regarding this addition to the statute</li> </ul>	Completed November 5, 2007
<ul style="list-style-type: none"> <li>Add this policy to the CPS Handbook, Section 5214 Court-Ordered Participation in CPS Services</li> </ul>	<i>Estimated Completion Date February 2008</i>

o **Committee on Pediatric Centers of Excellence**

SB 758 Section 21 requires the executive commissioner of HHSC to appoint ten members to serve on a committee on Pediatric Centers of Excellence relating to abuse and neglect. Members shall include representatives from the Department of State Health Services (DSHS) (presiding); the Attorney General’s office; a child advocacy center, a medical school and a children’s hospital; three pediatricians specializing in the treatment of child abuse; and the DFPS medical director. The committee shall:

- develop guidelines for designating regional centers of pediatric excellence;
- develop recommended protocols and methods of finance for the regional centers of pediatric excellence; and
- report findings to the legislature no later than December 1, 2008.

*Implementation Plan:*

• Hire DFPS medical director	Completed December 3, 2007
• HHSC names committee members	Completed December 2007
• Present information about current and ongoing efforts involving forensic assessment at the first meeting of the Committee on Pediatric Centers of Excellence	<i>Estimated Completion Date January 2008</i>
• Develop guidelines for designating regional centers of pediatric excellence	<i>Estimated Implementation Dates January 2008 – October 2008</i>
• Develop recommended protocols and methods of finance for the regional centers of pediatric excellence	<i>Estimated Implementation Dates January 2008 – October 2008</i>
• Produce a report of findings to the Texas Legislature	<i>Estimated Completion Date December 1, 2008</i>

○ **Caseworker Education Reimbursement Study and Targeted Recruitment of Caseworkers**

SB 758 Section 24 requires DFPS to study the effect that providing reimbursement for certain educational expenses would have on recruiting and retaining CPS caseworkers. The report will include a comparative analysis of the cost of training new caseworkers and having an experienced caseworker staff with the cost of providing reimbursement for educational expenses.

Section 24 also states that, when recruiting CPS caseworkers, DFPS shall target its recruitment efforts toward individuals who hold a bachelor's degree or advanced degree in at least one of the following academic areas:

- social work;
- counseling;
- early childhood education;
- psychology;
- criminal justice;
- elementary or secondary education;
- sociology; or
- human services.

*Implementation Plan:*

<p>1. Caseworker Educational Reimbursement Study</p> <ul style="list-style-type: none"> <li>Form a workgroup consisting of University of Texas (UT) School of Social Work researchers, Protective Services Training Institute (PSTI) administrators, and DFPS staff and hold preliminary discussions about the educational reimbursement study and the availability of appropriate data to answer the research questions posed by the bill</li> </ul>	<p>Completed August 2007</p>
<ul style="list-style-type: none"> <li>Receive a preliminary proposal from the UT researchers regarding the study on educational reimbursement</li> </ul>	<p>Completed October 15, 2007</p>
<ul style="list-style-type: none"> <li>Review proposal and assess feasibility of conducting the study</li> </ul>	<p>Began November 2007 – <i>Estimated Completion Date February 2008</i></p>
<ul style="list-style-type: none"> <li>Report findings of the caseworker education reimbursement study to the Texas Legislature</li> </ul>	<p><i>Estimated Completion Date December 1, 2008</i></p>
<p>2. Targeted Caseworker Recruitment</p> <ul style="list-style-type: none"> <li>Develop regional recruitment plans targeting specific undergraduate degrees in coordination with HHSC Human Resources</li> </ul>	<p><i>Estimated Completion Date September 30, 2008</i></p>

○ **FBI Checks and Director Requirements for Daycare**

SB 758 Section 39 requires child daycare centers to submit a fingerprint background check on each person at the operation who is required to have a background check to the Department of Public Safety (DPS) and the Federal Bureau of Investigation (FBI). The daycare centers must have the results of the complete background checks back before employing a person or allowing the person to have direct access to a child in care unless the following occurs—the operation receives the name-based results from DFPS stating that the person does not have any record prohibiting them from working based on the initial background check and the operation can show that they would not have been able to meet the minimum staff-to-child ratio if they had to wait for the federal fingerprint results. Also, SB 758 Section 41 adds criminal penalties for an owner or operator of a daycare center that knowingly operates without a qualified director.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>Hold meetings on these changes with providers in Houston, San Antonio, Dallas, Amarillo, Corpus Christi, and El Paso</li> </ul>	<p>Completed August 2007</p>
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<ul style="list-style-type: none"> <li>• Develop a phased-in rollout schedule for directors, caregivers, and “others” to help providers in implementing this requirement</li> </ul>	Completed August 2007
<ul style="list-style-type: none"> <li>• Review and improve online tutorial and instructions for daycare providers on how to register and schedule an employee for an appointment to submit his/her fingerprints</li> </ul>	Completed August 20, 2007
<ul style="list-style-type: none"> <li>• Send information to DFPS staff regarding the new requirement and how to regulate for it</li> </ul>	Completed September 1, 2007
<ul style="list-style-type: none"> <li>• Begin requirement for new and renewing directors and designees to have FBI fingerprint background checks when hired or when due biennially</li> </ul>	Completed September 1, 2007
<ul style="list-style-type: none"> <li>• Notify daycare providers about criminal penalties for operating without a qualified director</li> </ul>	Completed September 2007
<ul style="list-style-type: none"> <li>• Post an FAQ about these changes on the DFPS website and continue to update it</li> </ul>	Completed September 2007
<ul style="list-style-type: none"> <li>• Work with DPS to create a more efficient technological means of delivering the background check results</li> </ul>	Began September 2007 – <i>Estimated Completion Date</i> <i>January 2008</i>
<ul style="list-style-type: none"> <li>• Work with IBT, DPS’ electronic fingerprint vendor, to discuss improved processes for registering for and submitting fingerprints electronically</li> </ul>	Began September 2007 – <i>Estimated Completion Date</i> <i>April 2008</i>
<ul style="list-style-type: none"> <li>• Send information to all daycare providers about the changes and how to access the web site and the FAQs</li> </ul>	Completed October 2007
<ul style="list-style-type: none"> <li>• Work with daycare providers on rules regarding who should be fingerprinted in the “others” category to provide better direction and reduce risk to children in child care</li> </ul>	Began October 2007 – <i>Estimated Completion Date</i> <i>February 2008</i>
<ul style="list-style-type: none"> <li>• Work with DFPS IT staff and develop a rule to make use of existing technology that will allow the CLASS automation system to automatically receive information on criminal activities on individuals who have been fingerprinted so that providers will not have to resubmit the fingerprints every 24 months, resulting in significant cost savings for child care providers.</li> </ul>	Began October 2007 – <i>Estimated Completion Date</i> <i>April 2008</i>

<ul style="list-style-type: none"> <li>• Publish an article about criminal penalties for operating without a qualified director in <i>Texas Child Care</i>, a quarterly magazine for all child care providers</li> </ul>	Completed Fall 2007
<ul style="list-style-type: none"> <li>• Draft rules, incorporating review from providers, to be proposed at the DFPS Advisory Council meeting on January 18, 2008, for adoption on March 1, 2008</li> </ul>	Completed November 2007
<ul style="list-style-type: none"> <li>• Begin requirement for new and renewing caregivers to have FBI fingerprint background checks when hired or when due biennially</li> </ul>	<i>Estimated Implementation Date January 1, 2008</i>
<ul style="list-style-type: none"> <li>• Begin requirement for those in the “others” category, such as certain volunteers, to have FBI fingerprint background checks when starting or when due biennially</li> </ul>	<i>Estimated Implementation Date March 1, 2008</i>
<ul style="list-style-type: none"> <li>• Ensure there are FBI fingerprint background checks on all persons who require an FBI check as a result of this legislation</li> </ul>	<i>Estimated Completion Date September 1, 2009</i>

## Continued Implementation of CPS Reform I Activities

Though SB 758 as a whole is a continuation of the reform efforts begun as a result of the HHSC review and Senate Bill 6 passed during the 79<sup>th</sup> Legislative Session, SB 758 Section 52 requires the department to report specifically on the continued implementation of reform activities from the 79<sup>th</sup> session that were modified by SB 758.

### o Drug-Endangered Child Initiative

SB 758 Section 26 adds heroin and cocaine “or any of its forms” to the eligible drugs in DFPS’ drug endangered child initiative that was initially aimed at protecting children exposed to methamphetamine. Section 1.89 of SB 6, passed by the 79<sup>th</sup> Legislature, required DFPS to:

- establish a drug-endangered child initiative for children exposed to methamphetamine or to the chemicals related to illicit drug manufacturing;
- accept referrals from the Department of Public Safety (DPS) reporting the presence of a child in a location where methamphetamines are manufactured; and
- maintain a record of such reports and actions taken to protect a child.

In late 2005, DFPS signed a Memorandum of Understanding (MOU) with DPS establishing protocols and responsibilities for all involved parties following the identification of a drug-endangered child. Then, throughout FY 2006, DFPS incorporated training about methamphetamine and these protocols in the training for new caseworkers and conducted multidisciplinary regional trainings with the Texas Alliance for Drug Endangered Children. DFPS began assigning Priority 1

status to all reports that alleged a child was residing in an environment where methamphetamine was being manufactured, and modifications were made to IMPACT (DFPS' automated case management system) to identify cases where the manufacture of methamphetamine was alleged at intake or discovered during the course of an investigation.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Revise curriculum for the Drug-Endangered Child Initiative to include heroin, cocaine, and their derivatives</li> </ul>	<p>Completed May 2007</p>
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○ **Preparation for Adult Living (PAL) Information**

SB 758 Section 17 requires DFPS to provide an information booklet about the department's Preparation for Adult Living (PAL) program to youth and foster parents when youth enter the program. The PAL program was enhanced by SB 6, Section 1.51, which required DFPS to improve discharge planning, increase the availability of transitional family group decision-making, extend Medicaid coverage to age 21 with a single application, and enter into agreements with the Texas Workforce Commission (TWC) and local workforce development boards that would benefit foster care youth. The booklets will describe the program and the benefits available to the child in the primary language spoken by that individual, including:

- extended Medicaid coverage until age 21;
- priority status with TWC; and
- the exemption from the payment of tuition and fees at institutions of higher education as defined by the Education Code.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>• Revise the PAL handbook, Texas Foster Care Handbook for Youth, to include the information required by SB 758, the Bill of Rights for Children in Foster Care, and other information important for children preparing to age out of foster care</li> </ul>	<p><i>Estimated Completion Date February 2008</i></p>
<ul style="list-style-type: none"> <li>• Publish the newly revised Texas Foster Care Handbook for Youth and post the handbook on the DFPS website and on <a href="http://www.texasyouthconnection.org">www.texasyouthconnection.org</a></li> </ul>	<p><i>Estimated Implementation Dates March 2008 – August 2008</i></p>

<ul style="list-style-type: none"> <li>Distribute hardcopies to older youth in care statewide through caseworkers, PAL classes, Transition Plan Meetings, and Circles of Support and make it available at Transition Centers, youth conferences and other youth events</li> </ul>	<p><i>Estimated Implementation Dates March 2008 – August 2008</i></p>
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o **Outsourcing**

SB 758 Section 54 repealed the outsourcing requirement that was established by SB 6 in the 79th Legislative Session. SB 6 directed DFPS to outsource all substitute care and case management services statewide by September 1, 2011. DFPS was directed to hire an independent administrator, who would in turn contract for services in designated geographic areas. DFPS moved forward to cancel the RFP for an Independent Administrator.

*Implementation Plan:*

<ul style="list-style-type: none"> <li>Review, secure, and organize all procurement-related files</li> </ul>	<p>Completed August 20, 2007</p>
<ul style="list-style-type: none"> <li>Close the procurement for the Independent Administrator in Region 8</li> </ul>	<p>Completed September 7, 2007</p>
<ul style="list-style-type: none"> <li>Notify respondents via e-mail and certified mail of the cancellation</li> </ul>	<p>Completed September 7, 2007</p>
<ul style="list-style-type: none"> <li>Post cancellation on Electronic State Business Daily (ESBD)</li> </ul>	<p>Completed September 7, 2007</p>

No further activity is planned on this project.

**Conclusion**

DFPS underwent dramatic reform and received an unprecedented amount of resources for the FY 2006 – FY 2007 biennium. The 80<sup>th</sup> Texas Legislature chose to continue this reform and funded additional programs and resources so that the department could continue to make systemic changes in the way it serves children and families.

Within the first four months of implementation, DFPS has charted a course for implementing the various components of the CPS Improvement Plan designed to:

- keep families together while ensuring child safety in the home;
- reduce the length of time children remain in state care; and
- improve the quality and accountability of foster care.

DFPS has also begun implementation of the other sections of SB 758, including assistance for children in foster care, collaborations with other organizations and committees, and background check requirements, as well as continued implementation of reform elements that began after the 79<sup>th</sup> Legislative Session. Though this is merely a *plan* for the implementation of SB 758, DFPS will issue annual progress reports beginning August 31, 2008, that will detail activities and achievements toward that implementation.

The Legislature has provided DFPS with additional resources for the children and families that it serves and for the staff who deliver these resources to clients. Over the next biennium, DFPS will continue to collaborate with advocates, providers, community partners, the HHS Enterprise, other state agencies, and, most importantly, children and families, to ensure the successful implementation of these initiatives and their intended outcomes for clients.