House Select Committee on Opioids and Substance Abuse

Charge 6: Impact of Substance Abuse

Hank Whitman

Commissioner, Department of Family and Protective Services
August 7, 2018
When DFPS receives an intake of abuse or neglect in a home, our greatest concerns are for immediate child safety. Investigators often find that abuse has occurred to the child due to exposure to substances or neglectful supervision of the child by an impaired caregiver.

In many cases, the child may be removed from the home because they are considered to be at immediate risk of harm through drug exposure, lack of parenting, and a combination of environmental, mental, and physical conditions that lead to an unstable home environment.

Exposing or providing a child with illegal substances is a criminal offense under the Texas Penal Code. While there is no law prohibiting a parent from exposing a fetus to illegal substances, DFPS still has grounds for action for an investigation.

A joint investigation with law enforcement and DFPS is required by law on drug exposed children. Traditionally, law enforcement arrests parents and caregivers who have manufactured drugs in a home, especially where children are present.
Substance Abuse as a Factor in Removals

- FY 16:
  - All Removals: 18,982
  - Removials with Substance Abuse Factor: 12,374

- FY 17:
  - All Removals: 19,760
  - Removials with Substance Abuse Factor: 13,464

- FY 18 YTD:
  - All Removals: 16,863
  - Removials with Substance Abuse Factor: 11,366
Substance Abuse as a Factor in Fatalities

Risk factors such as substance abuse, mental health concerns, and domestic violence were common factors in confirmed child abuse and neglect fatalities:

- In FY 17, **52%** of fatalities caused by abuse or neglect involved a parent or caregiver actively using a substance and/or under the influence of one or more substances that affected their ability to care for the child.
- Almost **23%** of fatalities caused by abuse or neglect involved a parent or caregiver with reported or confirmed mental health concerns.
- Active domestic violence concerns were identified in **17%** of fatalities caused by abuse or neglect, but **40%** of these fatalities had a history of domestic violence.
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<tbody>
<tr>
<td>Child Population of Texas</td>
<td>6,865,824</td>
<td>6,952,177</td>
<td>6,996,352</td>
<td>7,121,499</td>
<td>7,266,760</td>
<td>7,311,923</td>
<td>7,407,636</td>
<td>7,500,272</td>
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<tr>
<td>Number of Intakes Assigned for Investigation or Alternative Response by CPS</td>
<td>231,532</td>
<td>222,541</td>
<td>206,200</td>
<td>194,803</td>
<td>215,512</td>
<td>232,159</td>
<td>238,591</td>
<td>238,600</td>
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<tr>
<td>Number of Investigated Child Fatalities</td>
<td>1,024</td>
<td>973</td>
<td>882</td>
<td>804</td>
<td>797</td>
<td>739</td>
<td>796</td>
<td>807</td>
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<tr>
<td>Number of Fatalities where Abuse/Neglect was Confirmed</td>
<td>227</td>
<td>231</td>
<td>212</td>
<td>156</td>
<td>151</td>
<td>171</td>
<td>222</td>
<td>172</td>
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<tr>
<td>Substance Abuse Concern</td>
<td>Active*</td>
<td>Past History</td>
<td>Substance Abuse Concern</td>
<td>Active*</td>
<td>Past History</td>
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<tr>
<td>Alcohol</td>
<td>23</td>
<td>20</td>
<td>Methadone</td>
<td>1</td>
<td>0</td>
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<tr>
<td>Marijuana</td>
<td>56</td>
<td>78</td>
<td>Opiates</td>
<td>2</td>
<td>4</td>
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<td>Cocaine</td>
<td>16</td>
<td>19</td>
<td>Synthetic Marijuana</td>
<td>2</td>
<td>6</td>
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<td>Methamphetamines</td>
<td>14</td>
<td>13</td>
<td>Other</td>
<td>16</td>
<td>3</td>
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<td>Phencyclidine (PCP)</td>
<td>1</td>
<td>1</td>
<td>Unknown</td>
<td>26</td>
<td>31</td>
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<tr>
<td>Heroin</td>
<td>1</td>
<td>2</td>
<td>No Known Use</td>
<td>56</td>
<td>50</td>
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*Active substance abuse concerns are indicated in cases where a parent has either tested positive for substances or self-reported abuse at the time of death of a child.
Barriers to Treatment for Parents

Access to substance abuse treatment

– Availability/Location of services
– Waiting lists/Insurance coverage

Parent-Specific Challenges

– Employment challenges
– Child-care availability/frequency
Service & Treatment Availability

• 14 Outreach, Screening, Assessment, and Referral Centers, or OSARS around the state are often the first point of contact for those seeking substance use disorder treatment services.

• In addition to inpatient and outpatient treatment, individuals can access education, counseling and other community-based activities to cope with substance abuse.
Families Served with Substance Abuse Issues

Source: DFPS IMPACT, FY 2017
Interagency Coordination

• Enhanced TJJD cooperation
  – Focused planning to serve crossover populations, both parents and children
  – Enhanced transition planning to ensure proper placement of kids transitioning from one agency to another

• Bexar County Children’s Court
  – Family Drug Treatment Court
  – Early Intervention Program
Solutions & Alternatives

• County-led initiatives like Bexar County and other specialty courts to sustain families through innovative treatment and judicial solutions

• Improved collaboration between agencies that serve similar populations

• Education of Judiciary and stakeholders on the challenges of substance abuse and use

• Enhanced services to support parent’s sobriety when children are returned home