

### RIDER REVISIONS

Agency Code: 530	Agency Name: Department of Protective and Regulatory Services	Prepared By: Mary Fields	Date: 08/16/02	Request Level: Base																																																			
Current Rider Number	Page Number in 2000- 01 GAA	Proposed Rider Language																																																					
1	II-109/110	<p><b>Capital Budget.</b> None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code, Section 1232.103.</p> <table style="width: 100%; margin-left: 40px;"> <thead> <tr> <th></th> <th style="text-align: right;">200<u>24</u></th> <th style="text-align: right;">200<u>35</u></th> </tr> </thead> <tbody> <tr> <td>a. Repair or Rehabilitation of Buildings and Facilities</td> <td style="text-align: right;">\$50,000</td> <td style="text-align: right;">\$ 50,000</td> </tr> <tr> <td>b. Acquisition of Information Resource Technologies</td> <td></td> <td></td> </tr> <tr> <td>    (1) Lease Payments to the Master Lease Purchase Program (1998-99)</td> <td style="text-align: right;">\$ <del>143,445</del></td> <td style="text-align: right;">\$ <del>99,024</del></td> </tr> <tr> <td></td> <td style="text-align: right;"><u>\$ 64,709</u></td> <td style="text-align: right;"><u>\$ 41,436</u></td> </tr> <tr> <td><del>(2) Upgrade Data/Telecommunications Equipment</del></td> <td style="text-align: right;"><del>\$ 761,750</del></td> <td style="text-align: right;"><del>\$ 0</del></td> </tr> <tr> <td><del>(3) Refresh Computer Hardware</del></td> <td style="text-align: right;"><del>\$ 248,555</del></td> <td style="text-align: right;"><del>\$ 741,597</del></td> </tr> <tr> <td><del>(4) Refresh Computer Software</del></td> <td style="text-align: right;"><del>\$ 562,152</del></td> <td style="text-align: right;"><del>\$ 0</del></td> </tr> <tr> <td><del>(5) Desktop Services Lease for Computer Hardware and Software</del></td> <td style="text-align: right;"><del>\$ 4,893,577</del></td> <td style="text-align: right;"><del>\$ 4,928,710</del></td> </tr> <tr> <td></td> <td style="text-align: right;"><u>\$ 4,712,632</u></td> <td style="text-align: right;"><u>\$ 6,196,762</u></td> </tr> <tr> <td><del>(6) Enhance CAPS Automation</del></td> <td style="text-align: right;"><del>\$ 2,206,754</del></td> <td style="text-align: right;"><del>\$ 2,059,790</del></td> </tr> <tr> <td><del>(7) Improve Network Efficiency</del></td> <td style="text-align: right;"><del>\$ 900,000</del></td> <td style="text-align: right;"><del>\$ 141,362</del></td> </tr> <tr> <td><del>(8) Use Web Technology</del></td> <td style="text-align: right;"><del>\$ 3,261,100</del></td> <td style="text-align: right;"><del>\$ 2,401,028</del></td> </tr> <tr> <td><del>(9) Enhance Prevention and Early Intervention (PEI) Automated System</del></td> <td style="text-align: right;"><del>\$ 230,111</del></td> <td style="text-align: right;"><del>\$ 17,062</del></td> </tr> <tr> <td><del>(10) Maintain and Enhance the Child Care Licensing System</del></td> <td style="text-align: right;"><del>\$ 2,969,181</del></td> <td style="text-align: right;"><del>\$ 3,220,863</del></td> </tr> <tr> <td><u>(2) Restore and Sustain Adequate Automation Infrastructure</u></td> <td style="text-align: right;"><u>\$ 2,793,495</u></td> <td style="text-align: right;"><u>\$ 1,873,645</u></td> </tr> <tr> <td><u>(3) Improve and Enhance Child and Adult</u></td> <td></td> <td></td> </tr> </tbody> </table>				200 <u>24</u>	200 <u>35</u>	a. Repair or Rehabilitation of Buildings and Facilities	\$50,000	\$ 50,000	b. Acquisition of Information Resource Technologies			(1) Lease Payments to the Master Lease Purchase Program (1998-99)	\$ <del>143,445</del>	\$ <del>99,024</del>		<u>\$ 64,709</u>	<u>\$ 41,436</u>	<del>(2) Upgrade Data/Telecommunications Equipment</del>	<del>\$ 761,750</del>	<del>\$ 0</del>	<del>(3) Refresh Computer Hardware</del>	<del>\$ 248,555</del>	<del>\$ 741,597</del>	<del>(4) Refresh Computer Software</del>	<del>\$ 562,152</del>	<del>\$ 0</del>	<del>(5) Desktop Services Lease for Computer Hardware and Software</del>	<del>\$ 4,893,577</del>	<del>\$ 4,928,710</del>		<u>\$ 4,712,632</u>	<u>\$ 6,196,762</u>	<del>(6) Enhance CAPS Automation</del>	<del>\$ 2,206,754</del>	<del>\$ 2,059,790</del>	<del>(7) Improve Network Efficiency</del>	<del>\$ 900,000</del>	<del>\$ 141,362</del>	<del>(8) Use Web Technology</del>	<del>\$ 3,261,100</del>	<del>\$ 2,401,028</del>	<del>(9) Enhance Prevention and Early Intervention (PEI) Automated System</del>	<del>\$ 230,111</del>	<del>\$ 17,062</del>	<del>(10) Maintain and Enhance the Child Care Licensing System</del>	<del>\$ 2,969,181</del>	<del>\$ 3,220,863</del>	<u>(2) Restore and Sustain Adequate Automation Infrastructure</u>	<u>\$ 2,793,495</u>	<u>\$ 1,873,645</u>	<u>(3) Improve and Enhance Child and Adult</u>		
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2 (cont'd)	II-110 (cont'd)	<p>permanent homes where appropriate for foster children.</p> <p><i>This rider has been changed to reflect the correct fiscal years of 2004-05 and to reference the Federal Act.</i></p>
3	II-110	<p><b>Limitation on Expenditures for Conservatorship Suits.</b> To the extent allowed by federal regulation, federal funds may be used by the department in conjunction with funds provided by counties with which the department has child welfare contracts, to pay for legal representation for children or their parents in suits in which the department is seeking to be named conservator. No general revenue funds appropriated to the department may be used to make such payments.</p>
4	II-110	<p><b>Appropriation of Funds.</b> All funds received by the department from counties, cities, and other local sources and all balances from such sources as of August 31, 200<del>4</del><sup>3</sup>, are hereby appropriated for the biennium ending August 31, 200<del>3</del><sup>5</sup>, for the purpose of carrying out the provisions of this Act. <del>(Estimated to be \$125,000).</del></p> <p><i>This rider has been changed to reflect the correct fiscal years of 2004-05.</i></p>
5	II-110	<p><b>Accounting of Support Costs.</b> The State Comptroller shall establish separate accounts from which certain support costs shall be paid. The Department of Protective and Regulatory Services is hereby authorized to make transfers into separate accounts from line item strategies in order to pay for these expenses in an efficient and effective manner. Only costs not directly attributable to a single program may be budgeted in or paid from these accounts. Items to be budgeted in and paid from these accounts include but are not limited to: postage, occupancy costs, equipment repair, telephones, office printing costs, supplies, freight and transport costs, telephone system costs, and salary and travel costs of staff whose function supports several programs. The department shall be responsible for monthly allocations of these costs to the original strategies.</p>
6	II-111	<p><b>Tertiary Prevention of Child Abuse Programs.</b> From the amounts appropriated above, the Department of Protective and Regulatory Services shall allocate \$120,000 each fiscal year of the biennium for continuation of a statewide network of community-based, volunteer-driven programs for prevention, intervention, and aftercare services of abused children.</p>
7	II-111	<p><b>Foster Care Rates.</b> <del>In the event funds are appropriated to provide a rate increase for foster care, the department shall implement the rate increase using the same assumptions for the percentage increase, client caseloads and placements by level of care as used by the legislature in appropriating the rate increase. It is the intent of the Legislature that the Department of Protective and Regulatory Services not reduce foster care rates during the 2002-03 biennium.</del>The department may transfer funds into Strategy A.1.5, Foster Care/Adoption Payments, for the purpose of maintaining foster care rates. The department may not transfer funds out of Strategy A.1.5, Foster Care/Adoption Payments.</p> <p>The department may also use funds in Strategy A.1.5, Foster Care/Adoption Payments, to recommend alternate service provision intake and investigation that will consider expansion of contract services, regional planning, service outcomes, and appropriate funding mechanisms to be tested in pilot projects. Such pilot approaches to innovative service delivery shall be designed in conjunction with providers approved by the Health and Human Services Commission, and funded at</p>



10 (cont'd)	II-111 to 112 (cont'd)	<p>(1) (Cont'd.) department shall report the earned federal funds received and provide documentation of the proposed use of these funds to the Legislative Budget Board, Governor's Office of Budget and Planning, and Health and Human Services Commission.</p> <p>(2) Notifications shall include information regarding the need which will be served with the additional revenue. In the event program expansions are under consideration, information shall be forwarded regarding the population to be served; criteria for eligibility; and impact upon existing programs.</p> <p>(3) The report shall include the information detailed in "b" and identify the impact on established performance targets, measures, and full-time equivalent positions.</p> <p>c. The method of financing item, Earned Federal Funds, for appropriations made above includes unexpended and unobligated balances of earned federal funds remaining as of August 31, 200<del>13</del> and receipts earned in fiscal years 200<del>24</del> and 200<del>35</del> (estimated to be \$0).</p> <p><i>This rider has been changed to reflect the correct fiscal years of 2004-05.</i></p>
11	II-112	<p><del><b>Contract Quality Assurance.</b> The department is hereby authorized to expend an amount not to exceed \$500,000 in each year of the biennium from funds appropriated above in A.1.3, CPS Purchased Services, and A.1.5, Foster Care/Adoption Payments, for the purpose of verifying, monitoring, and enforcing compliance with federal, state, and agency contract performance requirements.</del></p> <p style="text-align: center;">29</p> <p><i>The rider is no longer necessary since the function has been transferred to strategy A.1.2, Child and Family Services.</i></p>
12	II-112	<p><del><b>Intensive Services to Parents.</b> The agency shall contract with existing organizations and</del></p>

<p>13 (cont'd)</p>	<p>II-112 (cont'd)</p>	<ul style="list-style-type: none"> <li>iii offer after school and weekend daily access to programs</li> <li>iv. maintain trained staff, and</li> <li>v. maintain a dedicated facility.</li> </ul> <p>c. The department may contract with individual community-based non-profit organizations and entities representing networks of community-based non-profit organizations to provide these services in communities across the state. The department shall report to the Legislative Budget Board and the Governor on the outcome of the projects.</p> <p>d. Included in Strategy A.1.6, At-Risk Prevention Services, are funds for the department to contract for at-risk mentoring services with established mentoring organizations which have demonstrated record of achievement, including organizations that provide adult and peer group services to underserved youth populations that have multiple risk factors and high risk for suicide. An eligible recipient organization must have minimum requirements in place to assure that mentors are qualified for the responsibilities of working with at-risk children.</p> <p><del>e. Contingent upon the availability of federal Social Services Block Grant funding exceeding the amounts appropriated in this Act by at least \$5,000,000, there is hereby appropriated for Strategy A.1.6, At-Risk Prevention Services, \$2,500,000 in federal funds for each fiscal year of the biennium.</del></p> <p><i>The rider has been changed to delete the contingency funding in item "e" based upon the availability of Social Services Block Grant funding. This funding did not become available to the department.</i></p>
<p>14</p>	<p>II-113</p>	<p><b>Medicaid and Other Reporting Requirements.</b></p> <ul style="list-style-type: none"> <li>a. None of the funds appropriated by this Act to the Department of Protective and Regulatory Services may be expended or distributed by the department unless: <ul style="list-style-type: none"> <li>(1) the department submits to the Legislative Budget Board and the Governor a copy of each report submitted to the federal government relating to the Medicaid program, the Foster Care and Adoption Assistance program, Temporary Assistance for Needy Families, and the Child Welfare Services program. This shall include, but is not limited to: <ul style="list-style-type: none"> <li>i. expenditure data;</li> <li>ii. caseload data;</li> <li>iii. cost allocation revisions;</li> <li>iv. State plan amendments; and</li> <li>v. State plan waivers, including, but not limited to applications for new waivers and changes to existing waiver services, costs or authorized number of clients.</li> </ul> <p>Such reports shall be submitted to the Legislative Budget Board and the Governor no later than the date the respective report is submitted to the federal government, and</p> </li> <li>(2) The department submits to the Legislative Budget Board and the Governor at the end of</li> </ul> </li> </ul>

14 (cont'd)	II-113 (cont'd)	<p>each month:</p> <ul style="list-style-type: none"> <li>i. a report detailing the foster care and adoption assistance caseload figures and related expenditure amounts, by level of care, for the preceding month; and</li> <li>ii. a report projecting the anticipated foster care and adoption assistance caseloads for the 36 month period beginning with the first month after the report is due.</li> </ul> <ul style="list-style-type: none"> <li>b. Each report submitted to the Legislative Budget Board and the Governor pursuant to this provision must be accompanied by supporting documentation detailing the sources and methodologies utilized to develop any caseload or cost projections contained in each respective report and any other supporting materials as specified by the Legislative Budget Board and the Governor.</li> <li>c. Each report submitted pursuant to this provision must contain a certification by the person submitting the report, that the information provided is true and correct based upon information and belief together with supporting documentation.</li> <li>d. The Comptroller of Public Accounts shall not allow the expenditure of funds appropriated by this Act to the Department of Protective and Regulatory Services if the Legislative Budget Board and the Governor certifies to the Comptroller of Public Accounts that the Department of Protective and Regulatory Services is not in compliance with this provision.</li> </ul>
15	II-113	<p><b>Caseworker and Other Reporting Requirements.</b> None of the funds appropriated by this Act to the Department of Protective and Regulatory Services may be expended or distributed by the department unless the department submits to the Legislative Budget Board and the Governor at the end of each quarter a report detailing the number of caseworkers and casework supervisors assigned to the Child Protective Services program, the Adult Protective Services program, and the Child Care Regulation program. The format and content of the report shall be prescribed by the Legislative Budget Board.</p>
16	II-114	<p><b>Appropriation Transfer Between Fiscal Years.</b> In addition to the transfer authority provided elsewhere in this Act, the Department of Protective and Regulatory Services may transfer appropriations made above for Strategy A.1.5 (Foster Care/Adoption Payments) for fiscal year 200<del>3</del><sup>5</sup> to fiscal year 200<del>2</del><sup>4</sup>, subject to the following conditions provided by this section:</p> <ul style="list-style-type: none"> <li>a. Transfers under this section may be made only if costs associated with providing foster care and adoption assistance payments exceed the funds appropriated for these payments for fiscal year 2002;</li> <li>b. Transfers may not exceed \$10,000,000 in general revenue;</li> <li>c. A transfer authorized by this section must receive the prior approval of the Legislative Budget Board and the Governor; and</li> </ul>

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21(cont'd)	II-114 (cont'd)	<i>This rider is being deleted since it is not applicable to the FY 2004-2005 biennium.</i>
22	II-115	<p><b>Human Resources Management Plan.</b> From funds appropriated above, the Texas Department of Protective and Regulatory Services shall develop a Human Resources Management Plan designed to improve employee morale and retention. The plan must focus on reducing employee turnover through better management. The Texas Department of Protective and Regulatory Services shall report, by October 1 of each year of the biennium, to the Senate Finance Committee, the House Committee on Appropriations, the Legislative Budget Board, and the Governor the employee turnover rate, by job category, at the agency during the preceding fiscal year. The effectiveness of the agency's plan shall be measured by whether or not there is a reduction in annual employee turnover rates at the agency, specifically by the reduction in the turnover rates for caseworkers.</p>
23	II-115	<p><b>Use of Personal Cellular Telephones.</b> Out of funds appropriated <del>above for Strategy B-1-2; Information Resources</del>, the Department of Protective and Regulatory Services shall pay child protective services program caseworkers, supervisors, and directors an amount not to exceed \$50 per month for work-related use of their personal cellular telephones.</p> <p><i>This rider has been changed to give the department flexibility in determining which strategy to make the payments from.</i></p>
New	N/A	<p><u><b>Appropriation of Fees: Child Care Administrators License.</b> All fees collected by the department for administering an examination and issuing an initial license, renewal license, or provisional license for Child Care Administrators, as prescribed by Human Resources Code, Chapter 43, as amended, shall be retained by the department to offset the costs of administering these functions and are hereby appropriated to the department (estimated to be \$15,000).</u></p> <p style="text-align: center;">33</p> <p><i>This rider is requested to appropriate fees collected from Child Care Administrators' Licenses for purposes to offset the costs associated with administering the Child Care Administrators licensing activities, which may include, but are not limited to, development of a new testing document</i></p>



6 (cont'd)	II-16 (CTF) (cont'd)	<i>an independent state agency.</i>
7	II-16 (CTF)	<p><del><b>Sunset Contingency.</b> Funds appropriated above for fiscal year 2003 for the Children's Trust Fund of Texas Council are made contingent on the continuation of the Children's Trust Fund of Texas Council by the Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2002 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.</del></p> <p><i>This rider was added when the Children's Trust Fund was a separate state agency. The rider is no longer required since the Children's Trust Fund is a program under the Department and is no longer an independent state agency.</i></p>
8	II-16 (CTF)	<p><del><b>Limitation on Expenditures for Indirect Administration.</b> The Children's Trust Fund of Texas Council's expenditures for indirect administration shall be limited to no more than 10 percent of all moneys appropriated to and available for expenditure by the Council during the fiscal year. Indirect administration includes but is not limited to all staffing, travel, information resources, administration of Family Pride Councils, and other operating expenses.</del></p> <p><i>This rider was added when the Children's Trust Fund was a separate state agency. The rider is no longer required since the Children's Trust Fund is a program under the Department and is no longer an independent state agency.</i></p>
9	II-16 (CTF)	<p><del><b>Interagency Contract for Training.</b> Out of the General Revenue Fund-Dedicated-Children's Trust Fund of Texas Council Operating Account No. 541 amounts appropriated above, expenses for the training of members and staff of the Children's Trust Fund of Texas Council may only be paid under an interagency contract with the Department of Protective and Regulatory Services for the training of members and staff of the Children's Trust Fund of Texas Council.</del></p>



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