



Texas Department of
Family and Protective Services

House Appropriations Committee Hearing

Commissioner Hank Whitman

Kristene Blackstone, Associate Commissioner for CPS

Audrey Carmical, General Counsel

Kez Wold, Associate Commissioner

February 6, 2019

FY 2018-19 CPS Accomplishments

December 2016 to December 2018

Caseworker Turnover Decreased

- Investigations: by 11% from 33.5% to 29.7%
- Family Based Safety Services: 20% from 25.4% to 20.4%
- Conservatorship: by 40% from 24.3% to 14.7%

Average Daily Caseloads Per Worker Decreased

- Investigations: by 20% from 17.2 to 13.8
- Family Based Safety Services: by 36% from 15.8 to 10.1
- Conservatorship: by 9% from 29.1 to 26.4

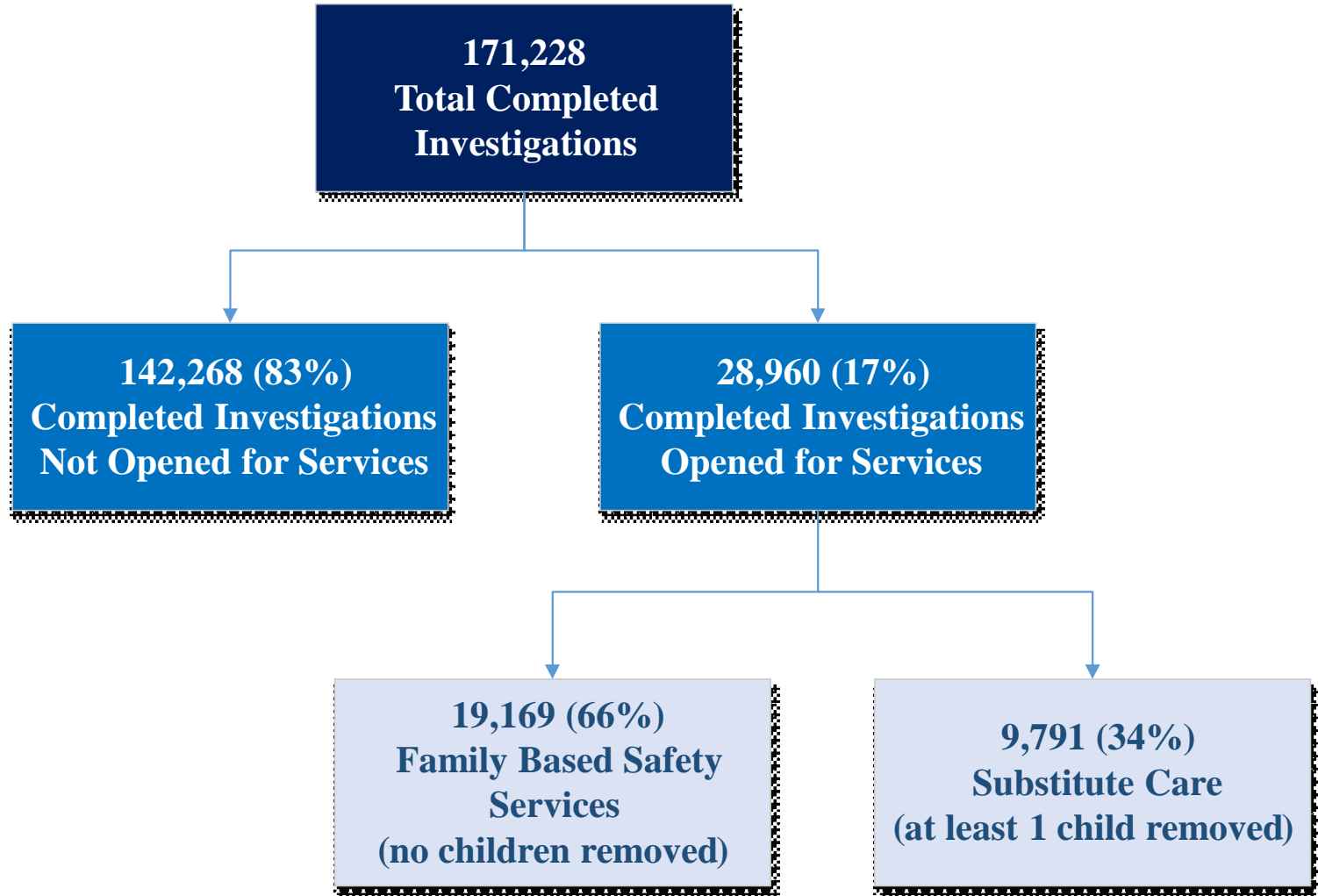
Preparation for Adult Living Completion: increased by 37% from 61.3% to 83.7%

Kinship placements: increased by 2% from 44.6% to 45.3%

Faith partnerships: increased by 158% from 605 to 1,559



At-A-Glance Fiscal Year 2018





Substitute Care

Of the 29,195 children in care (ages 0-17) at the end of Dec. 2018 Statewide:



Community Based Care

CBC is a community-based approach to meeting the individual and unique needs of children, youth, and families.

Within a geographic service area, a Single Source Continuum Contractor (SSCC) is responsible for finding foster homes or other living arrangements for children in state care and providing them a full continuum of services.

- **Stage I** includes the provision of paid foster care placement services;
 - **Stage II** includes the provision of substitute care placement and case management services; and
 - **Stage III** includes holding the SSCC financially accountable through the use of incentives and remedies for the timely achievement of permanency for served children beginning 18 months after case management services have transferred.
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Community Based Care

Catchment Area	Active Date	Funding Status
Region 3B: Fort Worth (Stage I)*	FY 2014	Funded since FY 14-15
Region 3B: Fort Worth (Stage II)	FY 2020	Included in Exceptional Item
Region 2: Abilene/Wichita Falls (Stage I)*	FY 2019	Funded since FY 18-19
Region 2: Abilene/Wichita Falls (Stage II)	FY 2020	Included in Exceptional Item
Region 8A: Bexar County (Stage I)*	FY 2019	Funded since FY 18-19
Region 8A: Bexar County (Stage II)	FY 2020	Included in Exceptional Item
Region 1: Lubbock/Amarillo (Stage I)	FY 2020	Included in Exceptional Item
Region 1: Lubbock/Amarillo (Stage II)	FY 2021	Included in Exceptional Item
Region 8B: 24 Counties surrounding Bexar (Stage I)	9/1/2019	Included in Exceptional Item
Region 8B: 24 Counties surrounding Bexar (Stage II)	FY 2021	Included in Exceptional Item
Catchment Area TBD (Stage I)	FY 2020	Included in Exceptional Item
Catchment Area TBD (Stage I)	FY 2021	Included in Exceptional Item
Catchment Area TBD (Stage I)	FY 2021	Included in Exceptional Item
Catchment Area TBD (Stage II)	FY 2021	Included in Exceptional Item

*currently serving children

What is FFPSA?

FFPSA aims to decrease the use of congregate care settings, prevent additional entries into foster care, encourage and support kin placements, elevate the quality of specific types of prevention services provided to families with children at risk of entering foster care, and allow children to be placed with their parents in substance abuse treatment facilities.

FFPSA establishes several new opportunities for states. While Texas will no longer be able to use Title IV-E funds for eligible children in most types of congregate care settings that currently exist in Texas, FFPSA allows for Title IV-E match for children placed in limited specialized settings for specific populations. FFPSA allows for unlimited federal match if the state chooses to invest in approved evidence-based prevention services for families involved with Family-Based Safety Services (FBSS). Texas currently utilizes free or no cost community services for many FBSS cases and would need additional state investment in order to pull down federal match. FFPSA also allows for some federal match for certain evidence-based, approved Kinship Navigator programs. These programs can serve kin caregivers outside of foster care through expanded 211 services and case management for families.

Texas cannot yet move forward with implementation of FFPSA, as it is still awaiting guidance from ACF and additional information to determine what immediate resources would be required to implement FFPSA. Texas could use the 86th Interim to study the implementation options and potential costs for FFPSA and inform the 87th Legislature of options for the state. Texas has already been working diligently to analyze FFPSA and has a solid foundation and understanding of this complex bill. DFPS could consider outcomes in other states that have implemented like programs, and determine the efficacy of the approved, evidence-based prevention programs, costs and outcomes for serving children in QRTPs, benefits of provider accreditation, and effects on child welfare outcomes. DFPS could solicit input from child care and service providers, as well as stakeholders. The state could consider the continued decline in the percentage of children eligible for Title IV-E as costs and benefits are analyzed. This study could also include consideration of the actions taken by the Texas Legislature to fulfill the goals of FFPSA.

Section Requirements

Section	Required/Optional
50711- Prevention Services	Optional
50712-Substance Abuse Services	Optional
50713-Kinship Navigator Program	Additional Information Required, UH Study
50721-Family Reunification Services	Additional Information Required
50722-ICPC/NEICE System	Required, seeking grant opportunity
50731-Model Licensing Standards: Foster Homes	Required, awaiting federal guidance
50732-Fatality Prevention Plan	Required, In Compliance
50733-Title IV-E Name Change	Additional Information Required
50741-QRTPs/Accreditation	Optional
50742-30-day Assessments	Optional
50743-Prevent Inappropriate Diagnoses	Required, In Compliance
50744-Reporting Requirements	Additional Information Required
50745-Background Check Requirements	Required, In Compliance
50751-Funding Supporting and Retaining Foster Families	Additional Information Required
50753-Chafee Funding	Additional Information Required
50771-Data Exchange Standards	Additional Information Required
50781-Delinking Adoption Assistance Eligibility	Additional Information Required

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- 3/29/2011 – Children’s Rights filed a federal class action lawsuit against the State of Texas.
 - 12/1/2014 – Trial began in Corpus Christi, TX.
 - 12/17/2015 – The District Court ruled in favor of Plaintiffs.
 - 3/21/2016 – Special Masters appointed.
 - 11/4/2016 – The Special Masters filed their initial recommendations.
 - 12/4/2017 – The Special Masters submitted a 138-page, 98-recommendation Implementation Plan.
 - 1/19/2018 – District Court entered Final Injunction against Texas incorporating, with minor changes, the entirety of the special master’s plan. **Stay Granted.**
 - Spring 2018: appellate briefing and arguments.
 - 10/18/2018 - The 5th Circuit Court of Appeals issued opinion, with limited remand to District Court.
 - 11/20/2018 – The District Court entered an Order incorporating the Fifth Circuit’s modifications and adding additional provisions.
 - 11/28/2018 – Texas filed a Notice of Appeal with the District Court and the Fifth Circuit regarding certain modifications in the District Court’s November order that exceed 5th Circuit’s ruling.
 - 1/14/19 - Texas filed its brief on January 14, 2019. Plaintiffs’ brief is due February 4, 2019 and Texas’ response brief is due February 11, 2019.
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Adult Protective Services

APS conducts investigations of alleged abuse, neglect and exploitation (ANE) of persons age 65+ and persons with disabilities living in the community. APS also provides protective services to alleviate ANE.

APS Investigates:

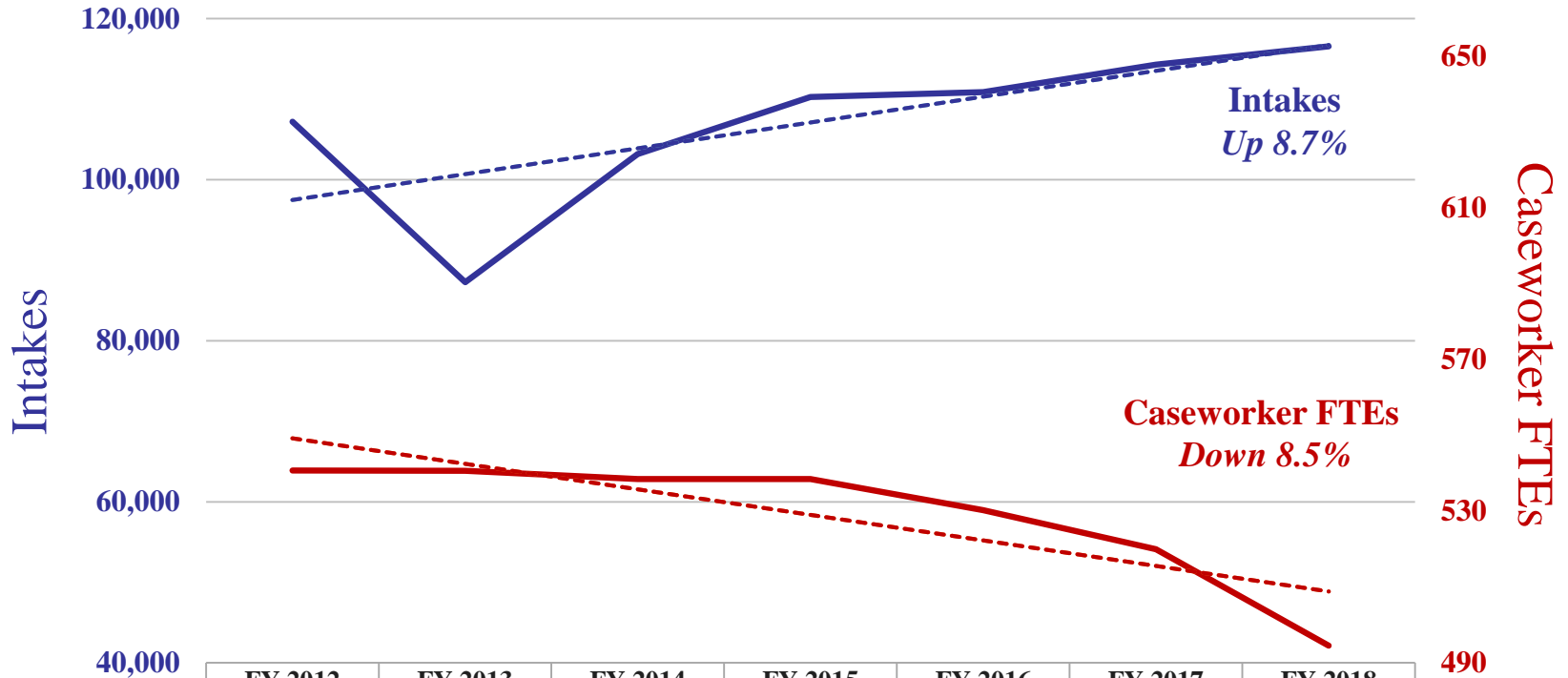
- Individuals in state of self-neglect;
- Caretakers;
- Family members;
- Individuals who have an ongoing relationship with alleged victim; and
- Certain paid providers.

APS **does not** investigate abuse, neglect or exploitation, including financial exploitation, by strangers.



Adult Protective Services

APS Intakes and Caseworker FTEs



	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Intakes	107,203	87,260	103,204	110,277	110,867	114,309	116,580
Caseworker FTEs	541	541	539	539	530	520	495



Caseworker Turnover APS vs. CPS

Annual Caseworker Turnover

