



SENATOR CHARLES SCHWERTNER, MD

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FOR IMMEDIATE RELEASE

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Senate Panel Pushes Forward with Fixes to CPS/Foster Care

As promised, Chairman Schwertner makes his CPS/foster care reform plan, SB 11, the first legislation considered in the Senate Committee on Health & Human Services.

AUSTIN, TX -- Today, the Senate Committee on Health and Human Services received initial testimony on Senate Bill 11, a legislative proposal to reform the Department of Family and Protective Services (DFPS) and address a number of structural problems with how the state manages its child protection efforts.

In December, Senator Charles Schwertner (R-Georgetown) filed SB 11 and called on Governor Greg Abbott to designate it an emergency agenda item, a process that allows lawmakers to act upon legislation within the first 60 days of the session. In Tuesday's State of the State address, Governor Abbott named child protection issues as one of his four emergency items.

"Today, our attention will be focused on what I believe is our single greatest responsibility as legislators: protecting Texas children and ensuring that *whenever* a child falls victim to abuse or neglect they're able to receive the timely and appropriate care they need as we work to place them in a safe and loving home," Schwertner said in his opening remarks.

Schwertner went on to individually acknowledge Governor Greg Abbott, Lt. Governor Dan Patrick, and Speaker Joe Straus for identifying CPS/foster care reform as a key priority for the 85th Legislative Session.

"During our time here in Austin, we won't necessarily agree on everything," Schwertner began. "But whether you're in the Senate or the House, whether you're a Democrat or a Republican...the protection of Texas children deserves to be a top priority for each and every member of the Texas Legislature. We owe it to the people of Texas to get this right."

Senator Schwertner said the committee will continue to solicit input from legislators, foster care agencies, and child advocacy groups before presenting a final bill for consideration. SB 11 is expected to be called for a vote and sent to the Senate floor within the next two weeks.

The main provisions of CSSB 11 are outlined below:

Ensures timely and appropriate services for children in foster care.

- Requires all children to receive a medical examination within 3 days of entering care.
- Requires Child Placing Agencies (CPAs) and STAR Health to ensure that children receive a comprehensive assessment within their first 30 days in foster care.

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Increases the capacity of the foster care system by encouraging collaboration and enhancing Foster Care Redesign.

- Requires local CPS leadership to analyze DFPS data on capacity needs and work with foster care providers, faith-based communities, and advocate groups to develop comprehensive plans for increasing foster care capacity.
- Requires all future Foster Care Redesign contractors to be non-profit or governmental entities with a mission related to child welfare.
- Requires the development of a comprehensive readiness review prior to expanding Foster Care Redesign to new catchment areas, including assessment of a vendor's ability to provide case management and evidence-based services to children and families, as well as their ability to ensure sufficient foster care capacity.

Increases accountability for providers serving children in the CPS system.

- Implements a regional pilot program in two areas of the state that enlist a non-profit or governmental entity to assume responsibility for the provision of Family-Based Safety Services (FBSS) and case management for children and families.
- Directs DFPS to work with outside groups to develop a series of quality metrics for both FBSS and post-adoptive services for inclusion in future provider contracts.
- Creates the Case Management Vendor Quality Oversight and Assurance Division within DFPS to manage contract compliance, oversee performance outcomes, and oversee case management for all contractors responsible for providing case management services to children and families.
- Expands the current performance-based contracting program to include all foster care providers and directs DFPS to implement a system of financial incentives for meeting or exceeding established benchmarks, as well as penalties for substandard performance.

Strengthens the standards for investigating abuse or neglect of children in foster care and moves these investigations to the CPS Investigations Division.

- Moves investigations of child abuse and neglect that occur at residential child care facilities such as foster homes, residential treatment centers, and foster group homes to the CPS Investigations division and ensures that all investigations are held to a high standard. This includes 24-hour and 72-hour requirements for initial face-to-face contact with victims as opposed to the current 5-day standard.

A medical doctor by training, Dr. Schwertner serves as Chairman of the Senate Committee on Health and Human Services. Schwertner is currently serving his third term as the senator for Senate District 5, a ten-county region of central and east Texas.

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