

SUBJECT: Reducing paperwork performed by investigators of child abuse and neglect

COMMITTEE: Government Reform — favorable, without amendment

VOTE: 7 ayes — Uresti, Otto, Y. Davis, Frost, Gonzales, Hunter, Veasey
0 nays

WITNESSES: For — (*Registered but did not testify*: Michael James, Citizen's Commission on Human Rights; Caroline O'Connor, Texas State Employees Union; Andrew Prough, Medical Fraud Reviews; Marcia C. Rachofsky, Texas Federation of Families for Children's Mental Health; Monica Thyssen, Advocacy, Inc.)

Against — None

On — (*Registered but did not testify*: Elizabeth Kromrei, Child Protective Services, Department of Family and Protective Services)

BACKGROUND: By statute, a Child Protective Services (CPS) caseworker must investigate any report of alleged abuse or neglect to a child. The amount of required documentation associated with an investigation varies with the severity of the case and can include a variety of details from basic information to complex medical histories and home study reporting. Investigators follow established timelines and guidelines for completing documentation based on the classification of each case.

DIGEST: HB 802 would add sec. 261.3012 to the Family Code, directing investigative employees responding to high priority reports of abuse or neglect to request the family of the child under investigation, to the extent reasonable, to fill out basic forms and paperwork. The investigator still would have ultimate responsibility to ensure that the documentation was accurate.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2005.

**SUPPORTERS
SAY:**

Having families fill out basic paperwork would free caseworkers to spend more time on performing thorough investigations. This also would help ensure greater accuracy for the documents caseworkers do fill out because caseworkers would be able to devote their time to documenting the details of cases while they were fresh in their minds.

HB 802 potentially could achieve a cost savings because reducing paperwork would allow employees to spend less time on administrative duties. Because caseworkers still would have the ultimate responsibility for reviewing the information that families provided, the accuracy of case-related documents would be ensured.

**OPPONENTS
SAY:**

Because caseworkers still would have to review documents for accuracy, the time saved by having families fill out paperwork would be very little and not worth the risk that mistakes could be missed in the review process. If the caseworker did detect mistakes, the caseworker could have to devote extensive time to correcting them. In addition, many families could be uncooperative in filling out forms because they were unhappy that CPS was conducting an investigation on their family or had removed their children. Expenditure of effort to have such families fill out paperwork would represent another waste of caseworker time. Ultimately, investigations are performed on a timeline, and any issues in filling out paperwork could interfere with meeting case deadlines.