



## THE 2012-13 BUDGET FOR CHILD PROTECTIVE SERVICES: THE GOOD, THE BAD, AND THE UGLY

In a brutal budget session, child protective services (CPS) fared better than most state services for 2012-13.<sup>i</sup> The proposed rate cuts for foster care and adoption payments were not implemented and some caseload growth for these programs was funded. At this funding level, CPS hopes to move forward with its proposal to redesign foster care to help children move to permanency faster. With the budget, CPS can actually start hiring new staff to work with children and families at the start of state fiscal year 2012.<sup>ii</sup> Finally, funding for families services was maintained at 2010-11 levels.<sup>iii</sup>

But the overall budget for CPS is 10 percent less than what CPS estimated it needed for the biennium to help families affected by child abuse and neglect.<sup>iv</sup> Caseload growth for family services was not funded and statewide intake staff, adoption services, and child abuse and neglect prevention programs were cut. The specifics are discussed below.

### Family Services to Keep Kids Out of Foster Care

Protective day care, which helps keep children safe in their own homes, was funded at 2010-11 levels. The proposed 100 percent cut to financial support for relative caregivers who take care of children in CPS custody was not implemented so that funding for this program remained at 2010-11 levels as well.

But caseload growth was not funded for either program. CPS has 16 percent less than what it needs to keep protective day care services at its current level and 11 percent less than what it needs to support relative caregivers.<sup>v</sup> This likely means that some children who could have otherwise stayed safely at home or lived nearby with a relative may now end up in foster care which, as highlighted below, is much more expensive.

#### Average monthly cost of services per child<sup>vi</sup>

Foster care	\$1,937
Protective day care	\$585
Relative monetary assistance and day care	\$699

Unlike foster care and adoption payments, these programs are not an entitlement and receive no direct federal financial support. Instead, they are funded through general revenue.<sup>vii</sup> Given the Legislature's choice to largely pursue a cuts-only approach to the budget and refusal to spend any of the Rainy Day Fund to support programs in 2012-13, there simply was not enough general revenue to go around. As a result, programs such as these did not get sufficient funding even though they are less expensive and better for children.

### Getting Kids in Foster Care the Support They Need

The proposed foster care rate cuts were not implemented and the forecasted caseload growth of the Legislative Budget Board (LBB) was funded, allowing foster care redesign to move forward. With the redesign, CPS will restructure the way it pays for foster care and works with private providers to hopefully keep kids closer to home and with their siblings and move them out of foster care faster.

But the LBB caseload growth estimates are 7 percent lower than what CPS projected.<sup>viii</sup> As foster care is an entitlement, CPS may need a supplemental appropriation in 2013 if the LBB estimates prove to be too low. The need for a supplemental

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appropriation seems especially likely given the lack of sufficient funding for family services which may drive more children into foster care and the cuts to adoption services discussed below which may keep more children in foster care longer.

### **Getting Kids out of Foster Care and into an Adoptive Home**

Adoption subsidies are payments made to support families that take a child out of CPS custody (usually from foster care) and into their home permanently. The proposed rate cut to adoption subsidies was not implemented and caseload growth was funded based on the LBB's estimates. But the LBB caseload growth estimates were 5 percent lower than what CPS projected.<sup>ix</sup> Like foster care, adoption subsidies are an entitlement, so CPS may need a supplemental appropriation in 2013 if the LBB estimates prove to be too low.

The cut to non-recurring adoption expenses (primarily to pay for legal fees) was not implemented. But other adoption services,<sup>x</sup> such as those to recruit and train adoptive homes, were cut by almost 30 percent compared to 2010-11 funding levels. Despite these cuts, the LBB assumes that there will be no reduction in services because the cuts will be made up at the local level. Given the economic difficulties local government and non-profit agencies face, this assumption seems unrealistic. A more likely scenario is that CPS will simply have fewer resources to recruit and train adoptive homes, which will slow down the adoptive process and keep more children in foster care longer.

### **Direct Delivery Staff**

Funding for CPS delivery staff who work with children and families is slightly higher as compared to 2010-11, although the number of direct delivery staff positions is reduced by 209, 117 of which are caseworkers. Currently, however, CPS has more than 209 vacancies so it can actually start hiring additional direct delivery staff when the new fiscal year begins.

Staffing for statewide intake, which processes all child abuse and neglect reports, was cut by 4 percent, or 17 positions. This may result in a projected increase in telephone hold time from 8.9 minutes (fiscal 2010) to 10.5 minutes (fiscal 2013) and 18 percent increase in call abandonment rate (additional 85,000 calls abandoned over the biennium).<sup>xi</sup>

### **Child Abuse and Neglect Prevention**

Child abuse and neglect prevention programs<sup>xii</sup> were cut by 44 percent. In a state with more than 1.6 million children living in poverty,<sup>xiii</sup> which is a major risk factor for abuse and neglect, only an estimated 6,000 children will be able to receive child abuse and neglect prevention services annually.<sup>xiv</sup>

### **Conclusion**

CPS fared better than most state services, especially in terms of funding for foster care and adoption subsidies. But the Legislature's choice to pursue a cuts-only approach to the budget means that important programs, such as family services, adoption services and child abuse and neglect prevention did not get sufficient funding.

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<sup>i</sup> This includes the budget for both CPS, which investigates and provides services to address child abuse and neglect, and the Prevention and Early Intervention division which includes child abuse and neglect prevention programs.

<sup>ii</sup> The state fiscal year starts on September 1.

<sup>iii</sup> Unless otherwise noted, 2010-11 funding levels mean what CPS spent in 2010 and its budget for 2011 after recent cuts. (Legislative Appropriations Request for the Department of Family and Protective Services.)

<sup>iv</sup> The difference between what CPS initially requested and what was actually appropriated.

<sup>v</sup> Based on the percentage difference between DFPS' initial request and the final appropriation.

<sup>vi</sup> The average monthly cost of foster care and relative support are from a DFPS handout on FY 2011 Average Monthly Cost per Child. The average monthly cost of protective day care is an average of the different types of day care (e.g., from toddler to after-school) from the DFPS House Appropriations Committee Funding Decision based on Engrossed HB 1 memorandum.

<sup>vii</sup> In lieu of general revenue, federal block grants such as Temporary Assistance to Needy Families are also used.

<sup>viii</sup> Based on CPS' initial request for the average monthly number of children in paid foster care vs. what was appropriated.

<sup>ix</sup> Based on CPS' initial request for the average monthly number of children receiving an adoption subsidy vs. what was appropriated.

<sup>x</sup> Purchased adoption services (B.1.6) and post-adoption services (B.1.7).

<sup>xi</sup> Based on DFPS presentation to House Appropriations Committee, Article II Subcommittee, February 2011.

<sup>xii</sup> Includes Texas Families Safe and Together, Community Based Child Abuse Prevention, Family Strengthening Services and Community Based At-Risk services.

<sup>xiii</sup> KIDS Count data for 2009. Available at (<http://datacenter.kidscount.org/data/bystate/Rankings.aspx?state=TX&loct=5&by=a&order=a&ind=3065&dtm=8190&rf=38>). Accessed on June 2, 2011.

<sup>xiv</sup> Using the number of families in 2010 who received services (DFPS 2010 Databook) and reducing it by 44 percent and then assuming an average of 2 children per family.

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