

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 27, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB5** by Frank (Relating to the powers and duties of the Department of Family and Protective Services and the transfer of certain powers and duties from the Health and Human Services Commission.), **Conference Committee Report**

<p>No significant fiscal implication to the State is anticipated.</p>
--

The bill would amend the Family Code, Government Code, and Human Resources Code to establish the Family and Protective Services Council, separate the Department of Family and Protective Services (DFPS) from the leadership structure of the Health and Human Services (HHS) System, direct DFPS to enter into a contract with the Health and Human Services Commission (HHSC) to provide certain administrative support services, direct DFPS to provide certain information related to sibling rights to persons seeking to adopt a child, allow individuals under contract with a domestic relations office to conduct adoption evaluations, and provide limited liability for nonprofit single source continuum contractors and related personnel providing community-based foster care. The bill would also require DFPS to establish certain divisions and offices within the agency; all required functions currently exist at either DFPS or HHSC. The bill would take effect September 1, 2017.

Based on the LBB's analysis of DFPS and the HHS System, duties and responsibilities associated with establishing the Family and Protective Services Council and separating DFPS from the leadership structure of the HHS System could be accomplished by utilizing existing resources. Currently, HHSC provides administrative support services for DFPS that the bill would continue this arrangement on a contractual basis with certain exemptions. To the extent functions currently performed at HHSC would under the provisions of the bill be performed at DFPS, this analysis assumes the resources would transfer as well and therefore any associated increased cost at DFPS would be offset by a reduction at HHSC.

Additionally, based on LBB analysis, the duties and responsibilities associated with implementing the other provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 530 Family and Protective

Services, Department of

LBB Staff: UP, TBo, KCA, EP, JLi