



**TEXAS**  
Department of Family  
and Protective Services

# **Aligning Oversight of Foster Care Providers and Foster Families**

**As Required by the 2022-23 General  
Appropriations Act, Senate Bill 1,  
87th Legislature, Regular Session, 2021  
(Article II, DFPS, Rider 38)**

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August 2022

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## Executive Summary

The 2022-23 General Appropriations Act, Senate Bill (S.B.) 1, 87th Legislature, Regular Session, 2021 (Article II, Department of Family and Protective Services [DFPS], Rider 38) requires DFPS to work with the Health and Human Services Commission (HHSC) and other foster care oversight entities to align functions and eliminate any unnecessary or duplicative oversight while still maintaining transparency and accountability.

Additionally, Rider 38 requires DFPS to submit a report to the Legislative Budget Board and the Governor on efficiencies identified and actions taken, as well as any recommendations for the following biennium by August 31, 2022. The report must address the:

- Impact of increased oversight on foster family recruitment and retainment;
- Elimination of duplicative functions;
- Improved communications and documentation between agencies;
- Fiscal impact on foster care providers; and
- Improved alignment with Community-Based Care (CBC) implementation.

Recommendations include:

- Further assess the causes of noted declines in foster home capacity.
- Collaborate with external stakeholders to educate the provider community on capacity-building opportunities.
- Continue to publish the Foster Care Needs Assessment and implement capacity-building plans based on geographical needs identified.
- Explore how to maximize General Placement Search (GPS) as a successful tool in improving the efficiency and timeliness of connecting youth to the most-appropriate caregivers.
- Continue implementing recommendations from various provider workgroups (including but not limited to Committee for Advancing Residential Practices [CARP] and Public Private Partnership [PPP]) as they relate to improving foster home capacity regarding training, communication, understanding risks and constraints to providers and staffing.
- Utilize virtual mechanisms when possible for the recruitment and training of perspective and current foster families, respectively.
- Explore Treatment Kinship Foster Homes and assess positive impacts on increasing foster home activities and recruitment.
- Assess positive gains due to Treatment Foster Family Care (TFFC) and Capacity Grants on increasing in foster home activities.
- Continue cross-agency collaboration regarding efforts related to oversight of foster homes to ensure the continued safety and well-being of children in foster care.

This report uses data from fiscal year 2022 and includes relevant historical information for evaluative purposes.

## Background

DFPS continues to recognize that diligent recruitment of foster and adoptive homes must generate foster and adoptive families that meet the demographic characteristics of children in care. Demographic data of the children needing foster and adoptive homes is available through the monthly Data Warehouse reports and used to establish recruitment targets and track progress.<sup>1</sup>

The following table indicates a decline in foster home activity in fiscal year to date 2022:

**Table 1. Fiscal Year to Date 2022 Foster Home Activity<sup>2</sup>**

Month-Year	DFPS Agency Homes <sup>3</sup>	Private Agency Homes
September 2021	674	9724
June 2022	555	8839
Gain (+) or Loss (-)	-119	-855

While there is an observed decline, multiple factors could have contributed, such as ongoing COVID-19 concerns, Region 6 DFPS agency homes transitioning to private agency homes, as well as DFPS agency homes in other regions transitioning to private agency homes during CBC transition; however, DFPS continues ongoing efforts to recruit new foster families and retain current ones.

Since August 2017, an annual statewide [Foster Care Needs Assessment](#) has been published for non-community-based care regions. HHSC provides forecasting data which, in conjunction with an historical analysis of placement practices, provides an assessment of statewide foster care capacity needs.

## Foster Family Recruitment and Retainment

DFPS and HHSC work together to evaluate foster care providers. DFPS utilizes available regional data and interagency and community-based collaborative efforts for capacity building and foster care services.

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<sup>1</sup> [Foster Adoptive Diligent Recruitment Plan](#)

<sup>2</sup> Data Warehouse FAD\_09

<sup>3</sup> DFPS agency homes include foster, foster/adoptive, kinship and legal risk homes. Private agency homes are those associated with a contracted child placing agency. This does not include adoptive homes.

## **Interagency Coordination for Streamlining of Heightened Monitoring**

For foster care providers on Heightened Monitoring, DFPS and HHSC coordinated a joint effort to streamline and align such oversight. These efforts consist of the division of targeted and specific inspections and visits with affected child placing agency (CPA) offices and agency homes between the two agencies. Specifically, HHSC Child Care Regulation-Heightened Monitoring (CCR-HM) will complete Heightened Monitoring inspections at CPA offices while DFPS Residential Child Care Contracts (RCC) will complete Heightened Monitoring inspections at agency homes. In cases of smaller agencies, DFPS will alternate visits with CCR-HM at CPA agency offices once all agency homes have been visited. CCR-HM and RCC will alternate inspections at general residential operations (GROs). In cases of regulatory tasks, CCR-HM will coordinate with DFPS when possible to avoid duplicative visits. This will aid in reducing disruptions for childcare provider and youth, as well as the overall number of staff present at operations. Given the planned coordination between both agencies and with both agencies sharing oversight responsibilities, it is anticipated communication between the agencies will continue to improve.

## **Foster Care Needs Assessment**

On a local level, regional Child Protective Services (CPS) leadership is required to draft and maintain capacity-building plans specific to their geographical area. These plans include building and maintaining relationships with vital community partners and stakeholders for this shared goal. The current [Foster Care Needs Assessment](#) is posted on DFPS' public website. CPS will continue to use this data to project the locations and types of foster care services needed over the next several years to help determine an annual procurement schedule.

Using the completed needs assessments and other available data, CPS will develop plans to address the substitute care capacity needs in each region. DFPS involves external stakeholders in discussions regarding placements, and their input is included in the development of strategic planning regarding recruitment efforts. Stakeholder meetings will be held in all the regions and include by invitation faith-based groups, child welfare advocates, Court Appointed Special Advocates, DFPS- and Single Source Continuum Contractors (SSCC)-contracted residential providers, and DFPS staff.

To measure how effective these efforts are, the Foster Care Needs Assessment incorporates a dashboard that will be updated every six months. This allows regions to determine the status of their strategic goals and will assist them with fiscal year 2023 strategic plan revisions.

## **Treatment Foster Family Care Services**

Another collaborative effort to increase foster homes is the [HHS Open Enrollment Opportunity](#) recently posted for CPAs interested in providing TFFC services. TFFC provides evidence-based,

family foster care services for children with complex mental health and behavioral needs. It allows for wraparound services, as well as, an increased reimbursement rate to support what the foster family may need while addressing the child/youth's needs. The purpose of the TFFC program is to increase capacity in the foster care system, reduce the number of children and youth in residential treatment centers, and prepare and stabilize children and youth for successful and less restrictive placement settings in order to promote positive permanency.

In addition, the release of the opportunity to bid on the \$19 million capacity building grants funded by the 87th Legislature occurred, and eligible applicants included DFPS-contracted CPAs. These grants provide resources for much-needed capacity stabilization and development. The deadline for submitting proposals was June 20, 2022, and the chosen bidders will be able to start using funds during either late 2022 or early 2023.

The grant recipients will have an internal DFPS program specialist who will monitor activity the bidders submitted to receive the grant.

## **Elimination of Duplicative Functions**

Centralized contracting functions have contributed to the reduction of duplicative efforts between DFPS, HHSC, and SSCCs.

### **New Contractor Committee**

In support of S.B. 1896, 87th Legislature, Regular Session, 2021, DFPS and the SSCCs have put in place the New Contractor Committee and staffings. If the agency or a SSCC contracts with a GRO providing treatment services to place children with the operation before the operation is fully licensed (i.e., under a provisional license), the contract must limit the number of children who may be placed at the operation each month, as well as the number of children with a service level of specialized, intense, or intense plus. The DFPS staffings occur with HHSC Child Care Regulation, DFPS residential contracts unit, and SSCC representatives.

### **Centralized Contracting Services**

To improve efficiencies and reduce duplication of functions, the CBC and heightened monitoring contracts were moved back into the Purchased Client Services unit in the DFPS Operations division in fiscal year 2022. Much of the work required by these contracts is closely tied to residential child care contracts. With the three residential contracting areas within one division, improved collaboration in the oversight and monitoring of providers is possible. For example, staff responsible for heightened monitoring and residential child care contracts are examining ways to provide the same oversight with a reduced number of on-site visits during the year which will be less disruptive to providers.

## **Improvements to Interagency Communication and Data Sharing**

DFPS and HHSC have continued joint efforts to improve interagency communications and data sharing through IT projects, coordinated staffings and trainings, and other communication strategies.

### **General Placement Search Application**

The GPS application was created to streamline sharing information on placement needs with providers. GPS connects resources from DFPS' Information Management Protecting Adults and Children in Texas (IMPACT) system and HHSC's Child Care Licensing Automated Support System (CLASS) to determine background information on the placement type to include heightened monitoring information, citations, and abuse and neglect history. GPS was created to reduce the number of systems used to find the least restrictive and most appropriate placements in or near the child's home community.

One example of the streamlining made possible by GPS is the quick access to the youth's demographic information, background history, and identified needs through the child or youth's personal identification number. This speeds up finding placements for children, as well as reduces data entry for placement coordinators by pre-populating frequently used search criteria from the child or youth's common application.

### **IT Systems**

DFPS has taken steps to foster communication with HHSC for IT systems used by both DFPS and HHSC staff. These systems include those which contain information about caregivers and/or foster families. DFPS and HHSC meet to discuss and collaborate on changes to DFPS' case management system which exchanges information with HHSC's regulatory system.

### **CCI in IMPACT Project**

In fiscal year 2022, both agencies engaged in the CCI in IMPACT project, a DFPS Foster Care Litigation (FCL) project that will remove the need for DFPS Child Care Investigators (CCI) to enter data into both IMPACT and CLASS. The DFPS project is not dependent on the completion of the HHSC companion project which focuses on making CLASS system changes to modify existing workflows previously completed by CCI staff and automate notifications to Child Care Regulation (CCR) staff when a CCI abuse and neglect investigation is being conducted and completed. CCI abuse and neglect information will reside in IMPACT once DFPS implements the new CCI functionality. A portion of CCI investigation documentation will be visible in CLASS once HHSC's companion project is completed.

## **CLASS Infrastructure**

In 2018, HHSC IT began supporting CLASS from an application development perspective, but the infrastructure maintenance remained with DFPS ITS due to the complexity of shared environments between CLASS and IMPACT. DFPS ITS and HHSC began collaborating on this issue. HHSC IT now has an active project in execution that will establish the necessary CLASS infrastructure. Once the project is complete, HHSC IT will have full support and maintenance of the CLASS application and infrastructure.

## **IT Governance Meetings**

In January 2022, the first DFPS and HHSC IT Governance meeting was held with IT senior leadership from both agencies. The purpose of this monthly meeting is to have collaborative discussions regarding future IT projects from each agency that will impact the other. If necessary, a temporary workgroup may be established for a particular project or initiative with representatives from each agency IT department to make decisions and work through a path forward until issues are resolved. The monthly DFPS and HHSC IT Governance meeting continues to be very beneficial for both agencies.

DFPS will continue to explore other efforts as needed to streamline operations and share quality data, as well as meet the intent of the rider.

## **Facility Intervention Team Staffings**

As it relates to increased oversight of foster care providers and foster families, as well as to ensure a consistent coordination process when DFPS takes actions with licensed and contracted residential providers, both agencies participate in Facility Intervention Team Staffings (FITS) conducted weekly with representatives from CCI, DFPS contracts, and HHSC's Child Care Regulatory division. The goal of FITS is to also ensure information sharing and provide appropriate coordinated actions to address safety concerns at residential facilities and provide shared technical assistance support.

FITS discussions are organic and include such topics as:

- Contract non-renewals and terminations
- Provider plans of action
- Placement suspensions
- Regulatory activities including voluntary and involuntary corrective actions and adverse actions
- Child fatalities
- Voluntary closures
- Removal of children



## DFPS Contracts SharePoint Site

DFPS Contract Oversight unit established and continues to manage an external SharePoint site for all SSCCs that house and maintain reports from CCI on recent Reason to Believe Indicator, Office of Data and Systems Improvement performance reports on residential providers, CCR's recently approved waivers and variances, as well as heightened monitoring information.

The SSCCs are also able to request, upload and share; monitoring reports, developmental plans issued to providers, contract actions taken on share providers, as well as other information.

## Shared Guiding Principles

As a result of the Expert Panel, both DFPS and HHSC adopted and applied a set of shared values and principles to all work with Texas children and families, further referred to as guiding principles. These guiding principles were developed collaboratively through facilitated discussion with leaders from both agencies:

- We are accountable to the children, youth, families, and communities we serve.
- We believe the voices of children, youth, and families are integral to informing and transforming the system.
- We believe all children, youth, and families should be treated with dignity and respect.
- We believe children, youth, and families deserve to be mentally, emotionally, and physically safe as well as cared for in settings that permit them to develop, thrive, and heal.
- We believe the inherent value of children, youth, and families' connections to family should be respected, and children should ideally be cared for by family.
- We believe in equitable treatment for children, youth, and families.
- We believe we must understand how our work impacts children, youth, and families to identify the existing opportunities, barriers, and challenges.
- We believe in using data and other evidence to inform our decisions and adjust for continued quality improvement.

## Other Collaborations

DFPS and HHSC have collaborated on several initiatives.

- **Heightened Monitoring Provider Repository:** DFPS and HHSC are jointly developing a repository that will be available to both agencies as a tool to support providers and provide meaningful technical assistance as needed or as requested by the provider. These tools will be inclusive of HHSC Minimum Standard requirements available on the HHSC public website, DFPS Residential Child Care contract requirements, and best practices.

- **Clinical Coordinator Trainings:** HHSC's Medicaid and Behavioral Health Services programs provided live training to 13 DFPS clinical coordinators to aid with orienting the clinical coordinators on the role of local mental and behavioral health authorities and Medicaid for children with mental health needs. The training was recorded for future use. The STAR Health Medicaid contractor has met with individual DFPS staff to provide additional training DFPS staff felt the training was crucial to understanding how HHSC and the contractor's roles are vital to accessing the services that directly meet the needs of the youth in an unlicensed placement.
- **Children Without Placement (CWOP) Interagency Team:** DFPS and HHSC created an interagency team consisting of members with decision-making authority who could quickly respond to any barriers to CWOP, or partner together to strengthen the strategies to reduce the numbers of children in CWOP. The interagency team will convene on an ongoing basis to meet the urgent needs of the youth on a case-by-case basis for the most efficient and effective solution.

## **Fiscal Impact to Foster Care Providers**

DFPS and HHSC continue to collaborate to assess any financial impact to foster care providers which may affect capacity building. These may be reported at a later date.

## **Improved Alignment with Community-Based Care Implementation**

CBC implementation is a vast undertaking for each SSCC, as well as DFPS. With the passing of S.B. 1896 and the creation of the Office of Community-Based Care Transition (OCBCT), DFPS and the SSCCs added support in moving CBC forward. DFPS and OCBCT have worked closely to ensure success of the SSCCs through each step and stage of CBC implementation.

### **CBC Implementation**

Since the inception of the OCBCT, the implementation timeline between Stages I and II has been reduced. One SSCC, Saint Francis Community Services, successfully transitioned to Stage II in March 2022. Another SSCC, Belong, is in the Stage II start-up phase on the condensed timeline with tentative an October 2022 completion date, and with readiness approval, will be the first SSCC to successfully move between Stages I and II in one year. These are a few examples of the improved alignment between agencies to improve the progression of CBC.

In support of the goal to reduce oversight duplication, the SSCCs have developed shared oversight monitoring approach for residential providers shared within the SSCC's network in implementing CBC. The SSCCs work together to assign a lead SSCC agency to conduct annual monitoring and have developed a joint monitoring tool for this purpose. The joint monitoring

tool is shared with DFPS CBC Contract Unit to ensure coordination with items for review on the joint tool are consistent with contract requirements.

## **Foster Care Provider Work Groups**

Between July and August 2021, DFPS hosted work groups with providers on the following topics:

- General Foster Care
- Incentives and Remedies
- Investigations
- Provider Engagement and Support

Work groups were composed of people from a mixture of provider types from CPAs and GROs to rural and urban areas both large and small.

The work groups provided more than 30 recommendations for DFPS consideration. Many recommendations have been implemented and several others are still be evaluated on how best to implement. Progress on the recommendations is being provided to the providers through quarterly CARP and PPP meetings, which were designed to explore, study, and recommend innovative and creative practices affecting the Texas foster care system. The PPP was established in 2009 and is a steering committee advising DFPS about CBC. Through the many years since its creation, the PPP has grown to be a collaborative group of child welfare experts who have a wide array of experiences which have helped shape the direction of CBC in Texas.

## **Recommendations**

- Further assess the causes of noted declines in foster home capacity.
- Collaborate with external stakeholders to educate the provider community on capacity-building opportunities.
- Continue to publish the Foster Care Needs Assessment and implement capacity-building plans based on geographical needs identified.
- Explore how to maximize GPS as a successful tool in improving the efficiency and timeliness of connecting youth to the most-appropriate caregivers.
- Continue implementing recommendations from various provider workgroups, including but not limited to CARP and PPP, as they relate to improving foster home capacity regarding training, communication, understanding risks, and constraints to providers and staffing.
- Utilize virtual mechanisms when possible for the recruitment and training of perspective and current foster families, respectively.
- Explore Treatment Kinship Foster Homes and assess positive impacts on increasing foster home activities and recruitment.

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- Assess positive gains due to TFFC and Capacity Grants on increasing in foster home activities.
- Continue cross-agency collaboration regarding efforts related to oversight of foster homes to ensure the continued safety and well-being of children in foster care.

## **Conclusion**

Since 2017, DFPS has published an annual statewide Foster Care Needs Assessment for non-community-based care regions to determine foster care capacity needs, as well as develop strategic planning regarding foster family recruitment efforts with external stakeholders.

With a decline in foster home activity in fiscal year 2022, continued diligence in foster and adoptive home recruitment is essential. DFPS continues to collaborate with HHSC and other foster care oversight entities to achieve the ultimate goal of ensuring effective foster care services to meet the needs and demographic characteristics of children in foster care through coordinated a joint effort to streamline and align such oversight.

## List of Acronyms

Acronym	Full Name
CARP	Committee for Advancing Residential Practices
CBC	Community Based Care
CCI	Child Care Investigations
CCR	Child Care Regulation
CCR-HM	Child Care Regulation- Heightened Monitoring
CLASS	Child Care Licensing Automated Support System
CPA	Child Placing Agency
CPS	Child Protective Services
CWOP	Children Without Placement
DFPS	Department of Family and Protective Services
FCRM	Foster Care Rate Modernization
FITS	Facility Intervention Team Staffing
GPS	General Placement Search
GRO	General Residential Operation
HHSC	Health and Human Services Commission
IMPACT	Information Management Protecting Adults and Children in Texas
OCBCT	Office of Community-Based Care Transition
PPP	Public Private Partnership

## Aligning Oversight of Foster Care Providers and Foster Families Report

<b>Acronym</b>	<b>Full Name</b>
RCC	Residential Child Care Contract
S.B.	Senate Bill
SSCC	Single Source Continuum Contractor
TFFC	Treatment Foster Family Care