



Residential Child Care Licensing & Contracting

Texas Department of Family & Protective Services
Presented to the Select Committee on Child
Welfare & Foster Care
August 4, 2004

Charge



- Review the licensure requirements for and the performance of all types of foster care facilities, including residential treatment facilities, wilderness camps and emergency treatment centers. Assess the adequacy of communication and interaction between the licensing agency and other state agencies that place children within the foster care and Child Protective Care system.
- Explore other states' efforts that will promote "best practices" and identify program efficiencies with Texas child welfare system.



Different Types of Oversight

- The purpose of **regulation** is to protect a group or class of children through the promulgation and enforcement of minimum standards.
- **Licensing** enforces compliance with minimum standards through inspections, investigations and remedial action.
- Child Protective Services (CPS) **contracts** with residential child care facilities for CPS foster children

Authority



- The Texas Department of Family and Protective Services is granted the authority to regulate child-care facilities and child placing agencies by the Texas Legislature in Chapter 42 of the Texas Human Resources Code.
- This authority is exercised through the Department's Child Care Licensing program.



FY03 Residential Facilities

The Residential Child Care Licensing division regulates 24-hour child care facilities and child placing agencies.

RESIDENTIAL CHILD CARE FACILITIES	Number	Capacity
Child Placing Agency	249	29,681
Independent Foster Homes	107	585
Residential Treatment Center	97	4,217
Emergency Shelter	77	1,961
Basic Care Facility	67	4,497
Maternity Home	15	148
Therapeutic Camp	8	404
Institution serving Children w/Mental Retardation	4	138
TOTAL	624	41,631



Minimum Standards

- All residential child care operations must meet minimum standards for:
 - Staff Qualifications, Training and Background Checks
 - Child/Caregiver Ratios
 - Admissions, Service Planning, and Discharge
 - Client and Staff Record Keeping
 - Medical and Dental Care
 - Physical Facilities
 - Sanitation and Fire Safety
 - Behavior Interventions, including Restraint and Seclusion

Minimum Standards

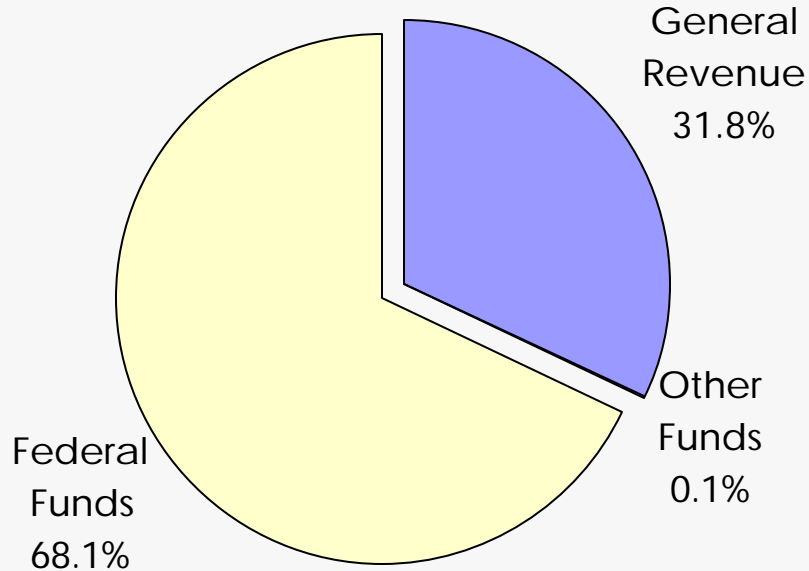


- Residential Treatment Centers must meet higher standards for:
 - Professional level staff, including the requirement for a Treatment Director;
 - Admissions and Treatment Planning.
- Therapeutic Camps have specific standards for physical facilities that are consistent with the wilderness camping experience.
- Emergency Shelters are not required to have the same level of information to admit a child into care.

Budget/Staffing



FY04 RCCL Budget



Total \$2,779,840

RCCL Workers

FTE Count	37
Avg. Salary	\$36,336
Avg. Tenure	8 yrs
Average Age	43 yrs

RCCL Caseloads

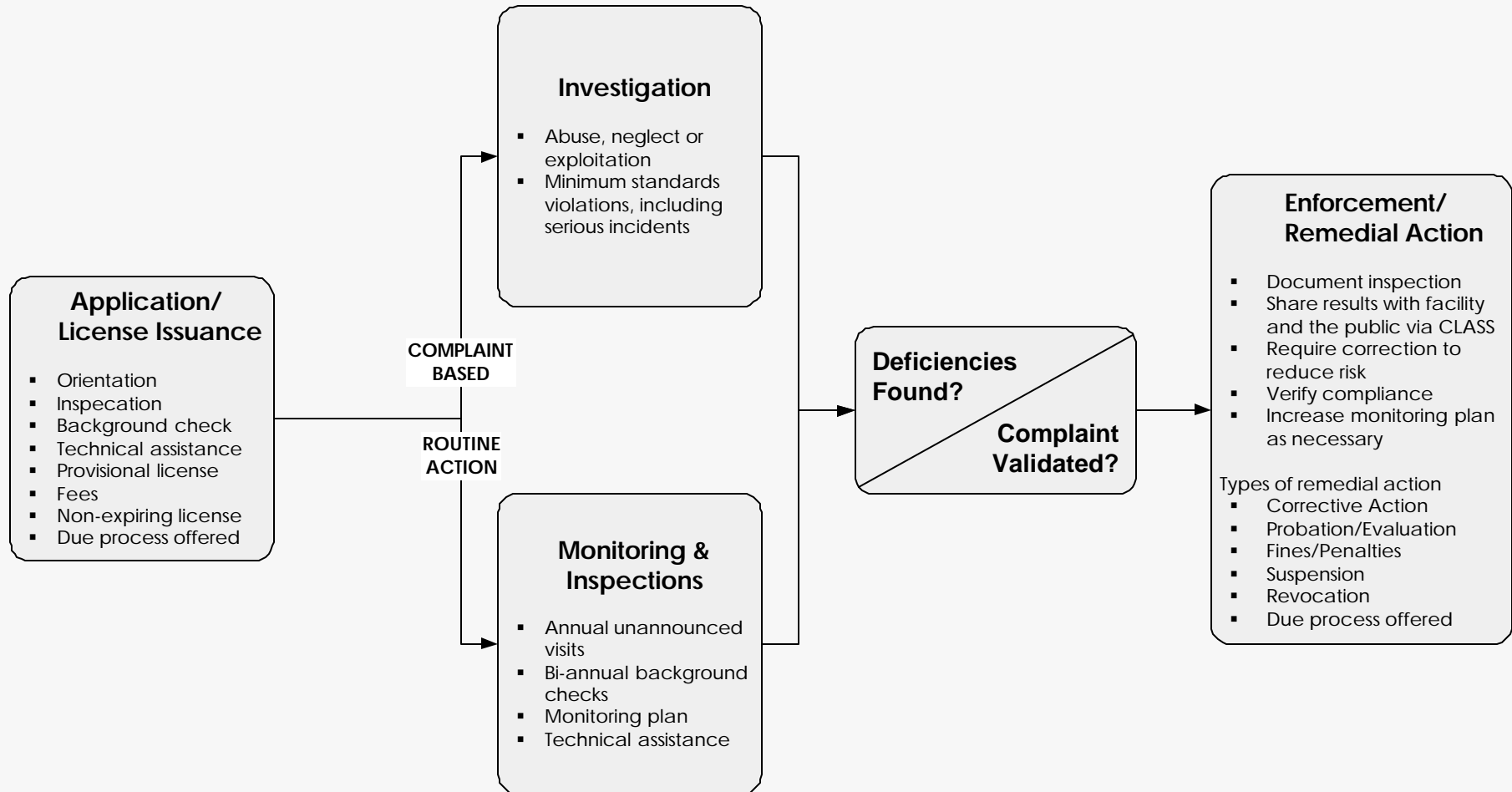
Monitoring Staff	1:354
Investigators	1:767



Licensing Philosophy

- Licensing staff strive to provide consistent and fair enforcement of the licensing law and rules through its new **S.T.O.P (Seeing The Overall Picture)** philosophy.
- Risk to children is assessed each time staff are present at a child-care operation.
- Technical assistance is provided, as needed, to help the provider develop the knowledge needed to maintain compliance.

Regulation Process





Consumer Communication

- Results of licensing inspections and investigations are posted on the DFPS public web site www.txchildcaresearch.org
- Corrective action plans and probation notices are posted at the child care facilities.
- Notice of revocations or suspensions are published in the newspaper and mailed to parents of each child.
- Information available for county juvenile probation departments and Texas Youth Commission staff to inform their placement decisions.

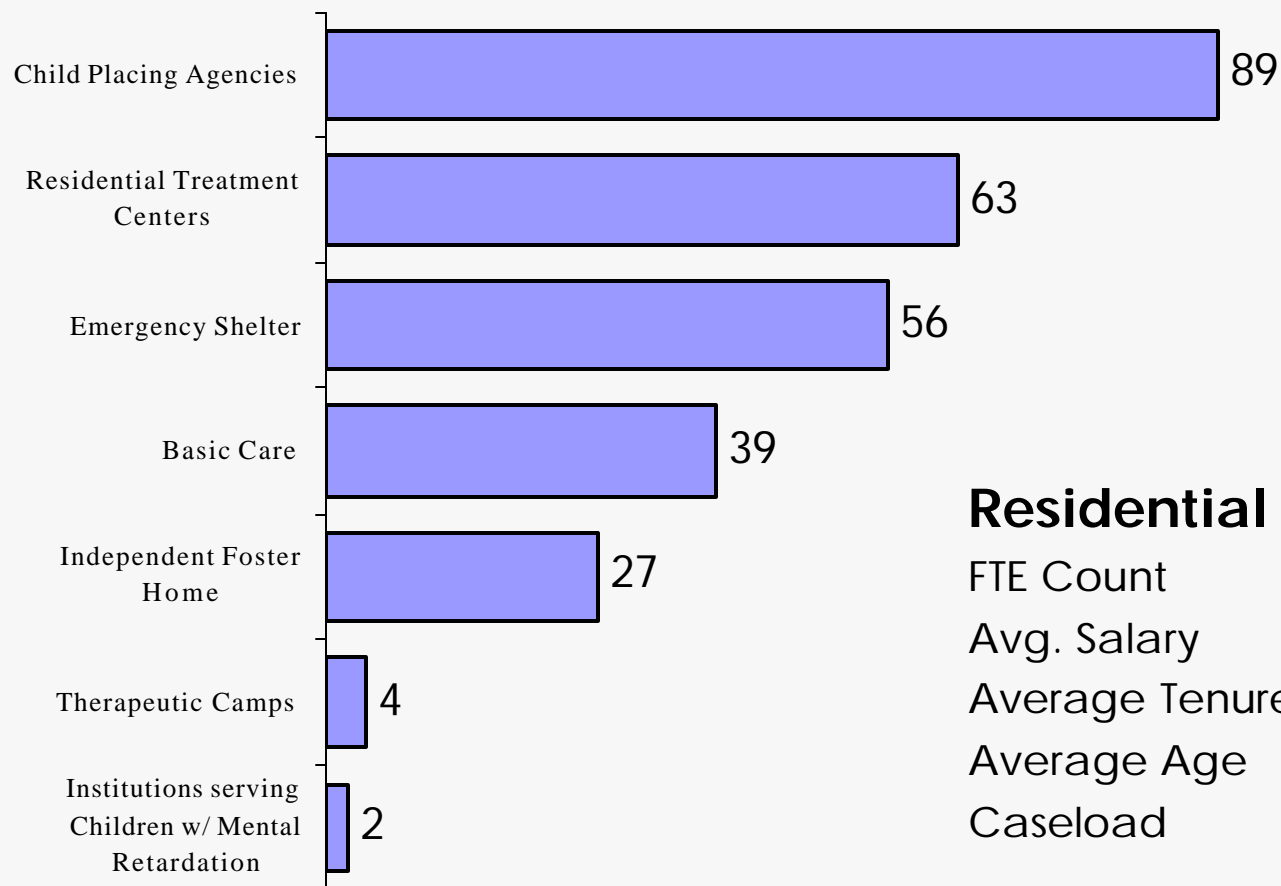
Residential Contracts



Child Protective Services contracts with licensed residential child-care providers to care for children in CPS managing conservatorship.



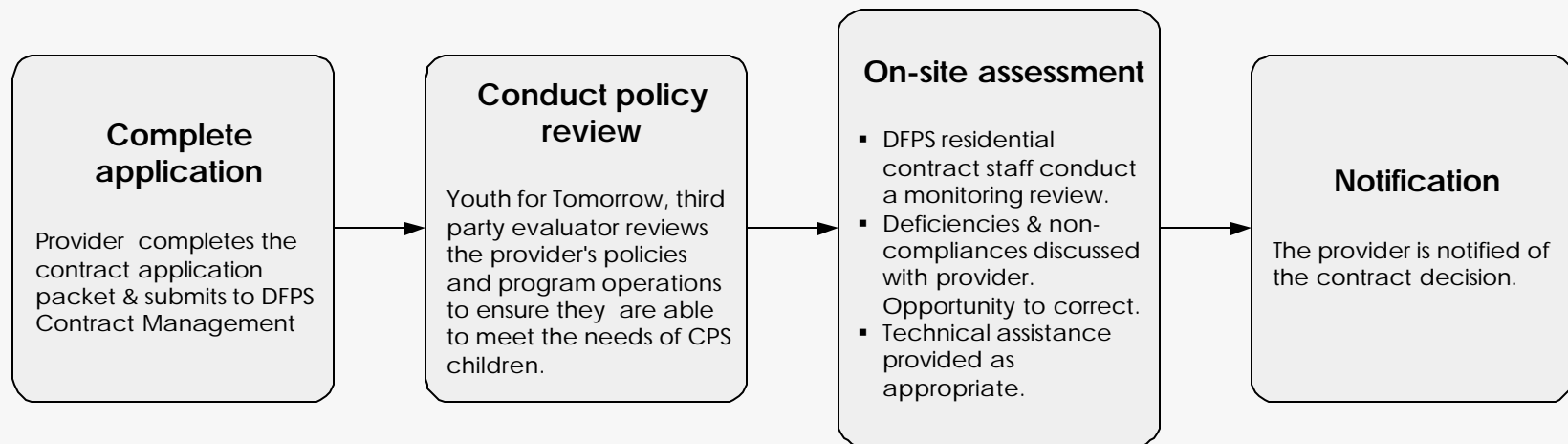
FY 2004 Contracts by Type (n=280)



Residential Contract Staff

FTE Count	12
Avg. Salary	\$36,960
Average Tenure	12 yrs
Average Age	42 yrs
Caseload	1:23

Contracting Process



Contract Terms



- The terms of a CPS residential child-care contract include:
 - minimum licensing standards
 - service level standards
 - services to prepare the child for permanency
 - routine child care which ensures the health and safety of the child
 - appropriate educational, recreational, and vocational activities
 - behavior management,
 - diagnostic services



Contract Monitoring

- Every residential child-care contract is monitored annually.
- Programmatic monitoring consists of the following:
 - Review the compliance with minimum licensing standards
 - Review of the compliance with the Service Level System
 - Review of compliance with the contract terms
- Results of monitoring visits are used to determine appropriateness of renewing the contract for another year.

System Integrity



- CPS contracts with a third party provider, Youth for Tomorrow, to independently:
 - Determine the service level needs for each child
 - Verify providers are delivering services for which they contract
 - Monitor that children receive contracted services