



February 20, 2023

**SUMMARY OF BILL:** Requires the Department of Children's Services (DCS) to maintain staffing levels of case managers so that caseloads do not exceed 20 cases per case manager for either active cases relating to initial assessments of allegations of child abuse or neglect, or for children monitored and supervised in active cases. Expands the definition of a person residing in the child's home for the purposes of reporting, investigating, and treating child abuse, to include a person who resides in a residential setting with a child who is in the custody of DCS.

**FISCAL IMPACT:**

**Other Fiscal Impact – The current DCS budget contains funding sufficient to fund the requirements of this legislation; however, due to staff vacancy rates, funds have not been expended; such unspent funds revert to the General Fund. To the extent all required positions were filled, the recurring increase in expenditures would be \$6,929,900 in state funds and \$4,643,700 in federal funds.**

Assumptions:

- Pursuant to Tenn. Code Ann. § 37-5-132(a)(1)-(2), the DCS is required to maintain staffing levels of case managers so that each region has enough case managers to allow caseloads not to exceed an average of 20 active cases relating to initial assessments, including investigations of an allegation of child abuse or neglect, or 20 children monitored and supervised in active cases relating to ongoing services.
- The proposed legislation would require DCS to maintain staffing levels so that caseloads do not exceed, as opposed to not exceeding an average of, 20 active cases.
- DCS requires one team leader for every five case managers, and one team coordinator for every four team leaders.
- As of May 2022, there were 1,272 case managers employed at DCS with an average of 22 cases per case manager.
- Therefore, it is estimated that there are 27,984 (1,272 x 22) ongoing cases.
- In order for the caseload of a case manager to not exceed 20 active cases, DCS will be required to fill an additional: 128 case manager positions [(27,984 cases / 20 cases) – 1,272 current case managers]; 26 new team leaders (128 new case managers / 5 new team leaders); and 7 new team coordinator positions (26 new team leaders / 4 new team coordinators).

- Expenditures associated with such positions are estimated to be \$11,573,555 (\$8,913,156 salaries + \$2,660,358 benefits) in FY23-24 subsequent years and would consist of \$6,929,886 in state funding and \$4,643,669 in federal funding, as follows:
  - \$5,092,364 in DCS state funds ( $\$11,573,555 \times 44.0\%$ ).
  - \$1,837,522 in TennCare state funds [ $(\$11,573,555 \times 46.0\%) \times 34.515\%$ ].
  - \$3,486,313 in TennCare federal funds [ $(\$11,573,555 \times 46.0\%) \times 65.485\%$ ].
  - \$1,157,356 in Title IV-E federal funds ( $\$11,573,555 \times 10.0\%$ ).
- As of July 2022, there was a 22 percent vacancy rate among case manager positions statewide, the costs of which are currently covered in DCS's budget.
- Assuming all open caseworker positions were filled, the average caseload per case manager would be significantly less than 20 cases.
- According to DCS, all such unspent funds for these unfilled positions revert to the General Fund. DCS' total reversion in FY21-22 was \$55,400,081.
- Barring any other action taken or unforeseen circumstance occurring, the vacant positions will remain vacant at a similar rate and DCS will not be able to comply with the proposed legislation.
- It is assumed that any changes to DCS policies and procedures that result from the expanded definition of person residing in the child's home can be managed within existing resources and personnel; therefore, it will create no significant increase in state expenditures.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/cd