



SPONSOR: Sen. Gay & Sen. Townsend & Rep. Griffith
Sens. Hansen, Hoffner, Pettyjohn, Walsh; Reps.
Baumbach, Bolden, Briggs King, Carson, Chukwuocha,
Harris, Heffernan, K. Johnson, Morrison, Neal, Romer,
Michael Smith, K. Williams

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE BILL NO. 33

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Chapter 90, Title 29 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 9015. Budgeting and financing.

4 (a) The Secretary, in cooperation with the Department directors and office administrators, shall prepare a proposed
5 budget for the operation of the Department to be submitted for the consideration of the Governor and the General
6 Assembly. The Department must operate within the limitation of the annual appropriation and any other funds appropriated
7 by the General Assembly.

8 (b) Each fiscal year, pursuant to established methodology, the Secretary and the Office of Management and Budget
9 shall review projections on the number of child abuse and neglect cases for the next fiscal year. Based on these projections,
10 the General Assembly shall fund, subject to a specific appropriation, funds and positions for the next fiscal year, beginning
11 each July 1, to the Division of Family Services to provide:

12 (1) An adequate number of child protection investigation workers so that regional caseloads do not
13 exceed 11 cases per fully functioning worker.

14 (2) An adequate number of child protection treatment workers so that regional caseloads do not exceed ~~18~~
15 12 cases per fully functioning worker.

16 (3) An adequate number of Family Service supervisors so that there is 1 supervisor for every 5 workers.

17 (4) An adequate number of training positions, but not less than 15, to ensure that fully trained staff are
18 always available to fill vacancies.

19 (5)-(7) [Repealed.]

20 In the event that regional caseloads exceed the above set standards during any fiscal year, the Office of

21 Management and Budget shall, to the extent moneys are available, authorize the use of casual seasonal positions as a
22 temporary mechanism to ensure that caseloads remain within Delaware standards. Fully functioning workers are workers
23 that are employed and working full-time, and do not include workers on extended medical leave, trainees who have not
24 completed training, or workers with restricted caseloads.

25 (c) In order to ensure the standards set forth in subsection (b) of this section are maintained, the Secretary shall
26 submit a quarterly report to the Governor, the Controller General, and the Director of the Office of Management and
27 Budget, with copies to the Chairpersons of the House of Representatives Committee on Health and Human Development,
28 the Senate Committee on Children, Youth and Their Families, and the Child Protection Accountability Commission that
29 details the above information both statewide and on a regional basis.

SYNOPSIS

This bill adopts a key recommendation of the Child Protection Accountability Commission Caseloads and Workloads final report approved on November 20, 2019, that Division of Family Services (DFS) caseload standards be reduced from 18 to 12 families per worker. Due to the volume of work generated by a caseload of 18 families, workers are significantly restricted in the time they can spend on critical case activities such as family engagement, assessment of safety, and face-to-face contact with children and families.

Author: Senator Gay