

BILL ANALYSIS

S.B. 58
By: Zaffirini
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, 50 percent of Texas' foster care children are placed with a relative; however, the state provides no services and benefits to the relative family. Senate Bill 58 requires the Texas Department of Protective and Regulatory Services to implement a relative caregiver placement program that provides financial support and case management to family members who take a foster child into their home for care.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Protective and Regulatory Services in SECTION 1 (Section 264.802, Family Code) of this bill.

ANALYSIS

SECTION 1. Amends Chapter 264, Family Code, by adding Subchapter J, as follows: SUBCHAPTER J. RELATIVE CAREGIVER PLACEMENT PROGRAM Sec. 264.801. DEFINITIONS. Defines "relative" and "relative caregiver."

Sec. 264.802. RELATIVE CAREGIVER PLACEMENT PROGRAM. (a) Requires the Department of Protective and Regulatory Services (DPRS) to develop and, subject to available funds, administer a program to promote placing children for whom DPRS is appointed managing conservator with relative caregivers and to facilitate relative caregiver placements by providing assistance and services to those caregivers in accordance with this subchapter and DPRS rules. (b) Requires DPRS to adopt rules necessary to implement this subchapter, if funding is available. Requires the rules to include eligibility criteria for receiving assistance and services under this subchapter.

Sec. 264.803. INVESTIGATION OF PROPOSED PLACEMENT. Requires DPRS, before placing a child with a proposed relative caregiver, to conduct an investigation to determine whether the proposed placement is in the child's best interests.

Sec. 264.804. RELATIVE CAREGIVER ASSISTANCE AGREEMENT. Requires DPRS, subject to available funds, to enter into a relative caregiver assistance agreement with each qualified relative caregiver to provide monetary assistance and additional support services to the relative caregiver. Authorizes the monetary assistance and support services to include certain benefits and services.

Sec. 264.805. COORDINATION WITH OTHER AGENCIES. Requires DPRS to coordinate with other health and human services agencies, as defined by Section 531.001 (Definitions), Government Code, including the Texas Department of Human Services, to provide assistance and services under this subchapter.

Sec. 264.806. FUNDS. Requires DPRS and other state agencies to actively seek and use federal funds available for the purposes of this subchapter.

SECTION 2. Requires DPRS, not later than December 1, 2003, to adopt rules for implementing and administering the relative caregiver placement program under Subchapter J, Chapter 264, Family Code, as added by this Act.

SECTION 3. (a) Requires DPRS, subject to available funds, to implement the relative caregiver placement program, by March 1, 2004, in accordance with Subchapter J, Chapter 264, Family Code, as added by this Act, in certain administrative regions designated by DPRS.

(b) Requires DPRS, subject to available funds, to implement the relative caregiver placement program statewide, by March 1, 2005, in accordance with Subchapter J, Chapter 264, Family Code, as added by this Act.

SECTION 4. Effective date: September 1, 2003.

EFFECTIVE DATE

September 1, 2003.