

By: Zaffirini

S.B. No. 58

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation of a relative caregiver placement pilot
3 program for certain children for whom the Department of Protective
4 and Regulatory Services is appointed managing conservator.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 264, Family Code, is amended by adding
7 Subchapter J to read as follows:

8 SUBCHAPTER J. RELATIVE CAREGIVER PLACEMENT PILOT PROGRAM

9 Sec. 264.801. DEFINITIONS. In this subchapter:

10 (1) "Relative" means a person related to a child by
11 consanguinity as determined under Section 573.022, Government
12 Code.

13 (2) "Relative caregiver" means a relative who:

14 (A) provides substitute care for a child for whom
15 the department has been appointed managing conservator, but who is
16 not licensed or certified to operate a foster home, foster group
17 home, agency foster home, or agency foster group home under Chapter
18 42, Human Resources Code; or

19 (B) is subsequently appointed permanent managing
20 conservator of the child after providing care as described by
21 Paragraph (A).

22 Sec. 264.802. RELATIVE CAREGIVER PLACEMENT PILOT PROGRAM.

23 (a) The department shall use available funds to develop and
24 administer a pilot program for one year to:

1 (1) promote placing children for whom the department
2 is appointed managing conservator with relative caregivers; and

3 (2) facilitate relative caregiver placements by
4 providing assistance and services to those caregivers in accordance
5 with this subchapter.

6 (b) The department shall develop policies necessary to
7 implement this subchapter and the pilot program under this
8 subchapter using available funds. The policies must include
9 eligibility criteria for receiving assistance and services under
10 this subchapter.

11 Sec. 264.803. INVESTIGATION OF PROPOSED PLACEMENT. Before
12 placing a child with a proposed relative caregiver, the department
13 must conduct an investigation to determine whether the proposed
14 placement is in the child's best interests.

15 Sec. 264.804. RELATIVE CAREGIVER ASSISTANCE AGREEMENT. The
16 department shall enter into a relative caregiver assistance
17 agreement with each qualified relative caregiver to provide
18 monetary assistance and additional support services to the relative
19 caregiver. The monetary assistance and support services may
20 include:

21 (1) a one-time cash payment of not more than \$1,000 for
22 each group of related children to the caregiver on the initial
23 placement of a child or group of related children to assist the
24 caregiver in purchasing essential child-care items such as
25 furniture and clothing;

26 (2) case management services and training and
27 information about the child's or children's needs until the

1 caregiver is appointed permanent managing conservator;

2 (3) referrals to appropriate state agencies
3 administering public benefits or assistance programs for which a
4 child, the caregiver, or the caregiver's family may qualify;

5 (4) family counseling not provided under the Medicaid
6 program for the caregiver's family for a period not to exceed two
7 years from the date of initial placement;

8 (5) if the caregiver and the child meet applicable
9 eligibility criteria determined by the department, reimbursement
10 of all child-care expenses incurred for the child while the
11 department is the child's managing conservator;

12 (6) if the caregiver and the child meet applicable
13 eligibility criteria determined by the department, reimbursement
14 of 50 percent of child-care expenses incurred after the caregiver
15 is appointed permanent managing conservator of the child; and

16 (7) reimbursement of other expenses, as determined by
17 the department, not to exceed \$500 per year for each group of
18 related children.

19 Sec. 264.805. COORDINATION WITH OTHER AGENCIES. The
20 department shall coordinate with other health and human services
21 agencies, as defined by Section 531.001, Government Code, including
22 the Texas Department of Human Services, to provide assistance and
23 services under this subchapter.

24 Sec. 264.806. FUNDS. The department and other state
25 agencies shall actively seek and use federal funds available for
26 the purposes of this subchapter.

27 SECTION 2. Not later than December 1, 2003, the Department

1 of Protective and Regulatory Services shall develop policies for
2 implementing and administering the relative caregiver placement
3 pilot program under Subchapter J, Chapter 264, Family Code, as
4 added by this Act.

5 SECTION 3. (a) Not later than March 1, 2004, the
6 Department of Protective and Regulatory Services shall implement
7 the relative caregiver placement pilot program in accordance with
8 Subchapter J, Chapter 264, Family Code, as added by this Act, in one
9 administrative region designated by the department.

10 (b) The Department of Protective and Regulatory Services
11 shall evaluate the relative caregiver placement pilot program
12 implemented in accordance with Subchapter J, Chapter 264, Family
13 Code, as added by this Act. Not later than January 2, 2005, the
14 department shall submit a report on that evaluation to the
15 legislature.

16 SECTION 4. This Act takes effect September 1, 2003.