

BILL ANALYSIS

Senate Research Center

H.B. 614
By: Puente (Zaffirini)
Health & Human Services
4/30/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current law does not require the state to continue to pay the cost of foster care for a foster child after the child becomes 18 years of age and is still enrolled in an accredited secondary school in a program leading toward a high school diploma.

H.B. 614 requires the Department of Family and Protective Services, as the successor agency to the Department of Protective and Regulatory Services, to continue to provide foster and medical care for a child who is over 18 years of age if the child is enrolled in a program leading toward a high school diploma.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Board of Protective and Regulatory Services is transferred to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 264.101, Family Code) of this bill.

SECTION BY SECTION ANALYSIS

[While the statutory reference in this bill is to the Department of Protective and Regulatory Services, the following amendments affect the Department of Family and Protective Services, as the successor agency to the Department of Protective and Regulatory Services.]

SECTION 1. Amends Section 264.101, Family Code, by adding Subsection (a-1) and amending Subsection (d), as follows:

(a-1) Requires the Department of Protective and Regulatory Services (department) to continue to pay the cost of foster care for a child for whom the department provides care, including medical care, until the later of the date the child attains the age of 18 or the date the child graduates from high school or ceases to be enrolled in a secondary school in a program leading toward a high school diploma.

(d) Authorizes the executive commissioner of the Health and Human Services Commission, rather than the Board of Protective and Regulatory Services, to adopt rules that establish criteria and guidelines for the payment of foster care for certain children 18 years of age or older. Makes conforming and nonsubstantive changes.

SECTION 2. Makes application of this Act prospective to children in foster care on or after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2005.