

BILL ANALYSIS

H.B. 614
By: Puente
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law does not require the Health and Human Services Commission to continue to pay the cost of foster care for a child for whom it provides care to after the child becomes 18 years of age and is still enrolled in an accredited secondary school leading toward a high school diploma.

House Bill 614 would require the Health and Human Services Commission to continue to provide foster care, 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

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2, Section 264.101(d) of the Family Code in this bill.

ANALYSIS

Section 1. Amends Section 264.101 of the Family Code by adding Subsection (a-1) which provides that the department shall continue to pay the cost of foster care, including medical care, for a child after that child becomes 18 years of age if the child is enrolled in an accredited secondary school in a program leading toward a high school diploma. Additionally, Subsection (d) provides that the executive commissioner of the Health and Human Services Commission may adopt rules that establish criteria and guidelines for the payment of foster care, including medical care, for a child and for providing care for a child after the child becomes 18 years of age if the child is regularly attending an institution of higher education or vocational or technical program.

Section 2. The change in law made by this Act applies only to a child who is in foster care on or after the effective date of this Act.

Section 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.

EFFECTIVE DATE

September 1, 2005.