

By: Raymond

H.B. No. 1826

A BILL TO BE ENTITLED

AN ACT

1
2 relating to monetary assistance for substitute care provided to a
3 child by a relative caregiver.

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

5 SECTION 1. Section 264.755, Family Code, is amended by
6 amending Subsection (a) and adding Subsection (d) to read as
7 follows:

8 (a) The department shall~~[, subject to the availability of~~
9 ~~funds,~~] enter into a caregiver assistance agreement with each
10 relative or other designated caregiver to provide monetary
11 assistance and additional support services to the caregiver.
12 Subject to Subsection (d), the [The] monetary assistance and
13 support services shall be based on a family's need, as determined by
14 rules adopted by the executive commissioner, and be subject to the
15 availability of funds.

16 (d) A caregiver assistance agreement entered into under
17 this section between the department and a relative caregiver who
18 will provide substitute care for a child for whom the department has
19 been appointed managing conservator must require the department to
20 pay monetary assistance to the relative caregiver during the time
21 the child is in substitute care. The monetary assistance must be
22 paid at a daily rate that is equal to at least 60 percent of the
23 daily foster care reimbursement rate that the department would pay
24 for the child if the substitute care were provided in a foster home,

1 foster group home, agency foster home, or agency foster group home
2 licensed or certified under Chapter 42, Human Resources Code.

3 SECTION 2. The change in law made by this Act applies to a
4 caregiver assistance agreement entered into on or after the
5 effective date of this Act. A caregiver assistance agreement
6 entered into before the effective date of this Act is governed by
7 the law in effect on the date the agreement was entered into, and
8 the former law is continued in effect for that purpose.

9 SECTION 3. This Act takes effect September 1, 2007.