

By: Coleman

H.B. No. 1845

A BILL TO BE ENTITLED

AN ACT

relating to monetary assistance for care provided to children by certain relatives or other designated caregivers.

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

SECTION 1. Section 264.755(a), Family Code, is amended to read as follows:

(a) The department shall~~[, subject to the availability of funds,]~~ enter into a caregiver assistance agreement with each relative or other designated caregiver to provide monetary assistance and additional support services to the caregiver. Subject to Section 264.7551, [The] monetary assistance and support services shall be based on a family's need, as determined by rules adopted by the executive commissioner, and be subject to the availability of funds.

SECTION 2. Subchapter I, Chapter 264, Family Code, is amended by adding Section 264.7551 to read as follows:

Sec. 264.7551. CAREGIVER ASSISTANCE AGREEMENTS FOR CARE OF CERTAIN CHILDREN. (a) This section applies only to:

(1) a relative caregiver described by Section 264.751(3)(B); and

(2) a designated caregiver described by Section 264.751(1)(B).

(b) Subject to Subsection (d), a caregiver assistance agreement entered into under Section 264.755 between the department

1 and a relative or other designated caregiver must require the
2 department to provide monetary assistance to the caregiver. The
3 monetary assistance must be paid:

4 (1) monthly until the child with respect to whom the
5 assistance is provided reaches the age of 18; and

6 (2) in an amount determined in accordance with
7 department rules.

8 (c) The department shall conduct an annual review of the
9 care being provided by a relative or other designated caregiver
10 receiving monetary assistance in accordance with this section.

11 (d) The department shall implement this section only if the
12 department receives federal funds to provide the monetary
13 assistance required by this section through a waiver program for
14 which the department obtains approval under Title IV-E, Social
15 Security Act (42 U.S.C. Section 670 et seq.).

16 SECTION 3. Section 264.758, Family Code, is amended to read
17 as follows:

18 Sec. 264.758. FUNDS. The department and other state
19 agencies shall actively seek and use federal funds, including funds
20 under Title IV-E, Social Security Act (42 U.S.C. Section 670 et
21 seq.), available for the purposes of this subchapter.

22 SECTION 4. The Department of Family and Protective Services
23 shall actively pursue a waiver or other authorization from an
24 appropriate federal agency to use federal funds available under
25 Title IV-E, Social Security Act (42 U.S.C. Section 670 et seq.), to
26 provide monthly monetary assistance under a caregiver assistance
27 agreement in accordance with Section 264.7551, Family Code, as

1 added by this Act.

2 SECTION 5. This Act takes effect September 1, 2007.