

BILL ANALYSIS

C.S.H.B. 324
By: Raymond
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, a child in the conservatorship of the state who is available for adoption is placed in substitute care, which includes foster or kinship placements, while awaiting permanent placement with a family. A foster home that houses a child is subject to a daily care reimbursement from the Department of Family and Protective Services (DFPS) based on the child's level of care.

Conversely, a child's relative caregiver is given only a one-time payment of \$1,000 at the time of placement for a child or sibling group and up to \$500 per year, per child, in reimbursable expenses, rather than daily care reimbursement.

C.S.H.B. 324 makes relative caregivers eligible for daily care reimbursement and requires daily assistance to be paid, under certain conditions, at a daily rate that is equal to at least 100 percent of the daily basic foster parent rate that DFPS would pay from state funds if the child was placed in substitute care provided in a foster home by a licensed foster parent.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 324 amends the Family Code to specify that a caregiver assistance agreement entered into between the Department of Family and Protective Services (DFPS) and a relative caregiver who will provide substitute care for a child for whom DFPS has been appointed temporary managing conservator must require DFPS to pay monetary assistance to the relative caregiver during the time the child is in the temporary managing conservatorship of DFPS if the relative caregiver has a family income that is less than 200 percent of the federal poverty level and the child for whom the relative caregiver will provide substitute care has one or more siblings under the care of the relative caregiver or a physical or mental disability or emotionally disabling condition.

C.S.H.B. 324 requires the monetary assistance to be paid at a daily rate that is equal to at least 100 percent of the daily basic foster parent rate that DFPS would pay from state funds if the child was placed in substitute care provided in a foster home by a licensed foster parent.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 324 differs from the original by specifying that the caregiver assistance agreement entered into between the Department of Family and Protective Services (DFPS) and a relative caregiver applies to monetary assistance provided during the time a child is in the temporary managing conservatorship of DFPS. The substitute adds conditions on the payment of monetary assistance that are not in the original relating to income, siblings for whom care will be provided, and the child's physical, mental, or emotional condition.

C.S.H.B. 324 changes the required rate of assistance for substitute care provided by a relative caregiver from 60 percent of the daily 24-hour residential child-care facility rate DFPS would pay if care was provided in a licensed foster home, licensed foster group home, licensed agency foster home, or licensed agency foster group home as in the original to a daily rate that is equal to at least 100 percent of the daily basic foster parent rate that DFPS would pay from state funds if the child was placed in substitute care provided in a foster home by a licensed foster parent.