

BILL ANALYSIS

C.S.H.B. 705
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Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Children who are part of the foster care system face numerous challenges to independent living when they "age out" of care. Without access to a birth certificate, social security card, photo identification, proof of health coverage, or immunization records, these challenges are magnified. Under current law, the Department of Family and Protective Services (DFPS) is required to provide a copy of a child's birth certificate, immunization records, and medical records to a youth not later than the 30th day after the youth is discharged from care. However, testimony from numerous advocates and former foster youth over the interim highlighted the fact that records are often not provided.

C.S.H.B. 705 requires DFPS to provide foster youth who "age out" of care with a personal identification certificate, a social security card, and proof of Medicaid coverage, if appropriate, and to provide the documents not later than the 30th day before the date of discharge.

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. 705 amends the Family Code to require the Department of Family and Protective Services (DFPS) to provide a personal identification certificate issued by the Department of Public Safety (DPS), a social security card or replacement card, and proof of enrollment in Medicaid, in addition to other personal records and identification information, to a child who is being discharged from foster care who is at least 18 years of age or has had the disabilities of minority removed and to do so not later than the 30th day before, rather than after, the date of discharge.

C.S.H.B. 705 requires DFPS, in cooperation with the Texas Education Agency and DPS, to develop a plan to provide each child in the permanent managing conservatorship of DFPS the opportunity to complete a driver's education course and to obtain a driver's license before the child leaves conservatorship. The bill requires DFPS to report to the legislature the results of the plan, including cost estimates and methods for obtaining affordable liability insurance for foster children, not later than December 1, 2010.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 705 removes provisions in the original requiring the Department of Family and Protective Services (DFPS) to ensure that a child who is being discharged from foster care

obtains a personal identification certificate, a social security card, and proof of enrollment in Medicaid, as applicable, and includes such documents in the materials that DFPS is required to provide a child before the child is discharged. The substitute adds a clarification to the provision in the original on the plan developed by DFPS in cooperation with the Texas Education Agency and the Department of Public Safety that the plan is designed for a child in the permanent managing conservatorship of DFPS rather than in conservatorship of DFPS as in the original.