

## **BILL ANALYSIS**

H.B. 2370  
By: Dukes  
Human Services  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The permanency care assistance program provides payments to relatives who take permanent custody of a child in state care. To participate in the program, the relative must become a licensed foster parent, which requires a background check. While an applicant can be deemed ineligible because of that applicant's criminal history, some criminal histories may be categorized for a risk evaluation, during which the Department of Family and Protective Services (DFPS) or licensed child-placing agency performs an extensive review to determine whether or not a person with a criminal conviction poses a risk to children. Many times an applicant is not informed of the types of criminal convictions that could preclude the applicant from becoming a caregiver or made aware of the possibility of a risk evaluation.

H.B. 2370 seeks to address this issue by requiring DFPS and licensed child-placing agencies to disclose to a permanency care assistance program applicant that a background check will be performed and to inform the applicant of criminal convictions that will preclude that person from participating in the program and may be considered in evaluating that applications.

### **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**

H.B. 2370 amends the Family Code to require the Department of Family and Protective Services (DFPS) or a licensed child-placing agency, at the time a person applies to become licensed by DFPS or verified by the agency or DFPS to provide foster care in order to qualify for the permanency care assistance program, to notify the applicant that a background check, including a criminal history record check, will be conducted on the individual and to inform the applicant about criminal convictions that preclude an individual from becoming a licensed foster home or verified agency foster home and may also be considered in evaluating the individual's application.

### **EFFECTIVE DATE**

September 1, 2011.