

By: Swanson

H.B. No. 3552

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the foster care payment rate for certain foster parents  
3 and the reimbursement of certain expenses for the foster parent;  
4 creating a criminal offense.

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

6 SECTION 1. Section 264.101, Family Code, is amended by  
7 adding Subsection (a-3) to read as follows:

8 (a-3) If the department places one or more children assigned  
9 a basic or moderate service level with a foster parent, the  
10 department shall pay the foster parent the cost of foster care in  
11 accordance with the following schedule:

12 (1) 100 percent of the daily foster care reimbursement  
13 rate for the first child placed with the foster parent;

14 (2) 80 percent of the daily foster care reimbursement  
15 rate for the second child placed with the foster parent;

16 (3) 60 percent of the daily foster care reimbursement  
17 rate for the third child placed with the foster parent;

18 (4) 40 percent of the daily foster care reimbursement  
19 rate for the fourth child placed with the foster parent;

20 (5) 20 percent of the daily foster care reimbursement  
21 rate for the fifth child placed with the foster parent; and

22 (6) the foster parent will not receive any additional  
23 payment if the department places more than five children with the  
24 foster parent.

1 SECTION 2. Subchapter B, Chapter 264, Family Code, is  
2 amended by adding Section 264.1252 to read as follows:

3 Sec. 264.1252. REIMBURSEMENT FOR ENRICHMENT ACTIVITIES;  
4 CRIMINAL OFFENSE. (a) In this section, "enrichment activities"  
5 includes athletic camps and competition, art and music classes and  
6 camps, school-related extracurricular activities, faith-based  
7 camps or mission trips, and the Boy Scouts of America and the Girl  
8 Scouts of the United States of America, or similar organizations  
9 and activities. The term does not include entertainment activities  
10 that a child participates in solely with the child's foster parent.

11 (b) At the foster parent's discretion, the foster parent may  
12 enroll a foster child in age-appropriate enrichment activities.

13 (c) The department shall reimburse a foster parent for any  
14 monetary expenses relating to the participation of a child in  
15 enrichment activities. The foster parent must provide the  
16 department with receipts for any expenses under this subsection to  
17 receive reimbursement.

18 (d) A person commits an offense if, with intent to defraud  
19 or deceive the department, the person knowingly makes or causes to  
20 be made a false statement or misrepresentation of a material fact  
21 that allows a person to receive a reimbursement under Subsection  
22 (c). An offense under this subsection is a Class C misdemeanor.

23 SECTION 3. As soon as possible after the effective date of  
24 this Act, the executive commissioner of the Health and Human  
25 Services Commission shall increase the 24-hour residential child  
26 care rates paid to a foster family for a child by 20 percent.

27 SECTION 4. This Act takes effect September 1, 2017.