

By: West

S.B. No. 780

A BILL TO BE ENTITLED

AN ACT

relating to monetary assistance provided by the Department of Family and Protective Services to certain relatives and designated caregivers.

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

SECTION 1. Section 264.755, Family Code, is amended by amending Subsections (b) and (c) and adding Subsection (f) to read as follows:

(b) Monetary assistance provided under this section must include a one-time cash payment to the caregiver ~~[on the initial placement of a child or a sibling group]~~. The amount of the cash payment, as determined by the department, must be at least ~~[may not exceed]~~ \$1,000 for each child who is not placed as part of a sibling group. The payment for placement of a sibling group must be at least \$1,000 for the group, but may not exceed \$1,000 for each child in the group. The cash payment must be provided not later than the 60th day after the date of ~~[on]~~ the initial placement of each child with the caregiver and is provided to assist the caregiver in purchasing essential child-care items such as furniture and clothing. The executive commissioner, with assistance from the department and the commission, shall adopt a rule governing the method for allocating the one-time cash payment between the department and the commission.

(c) Monetary assistance and additional support services

1 provided under this section may include:

2 (1) case management services and training and
3 information about the child's needs until the caregiver is
4 appointed permanent managing conservator;

5 (2) referrals to appropriate state agencies
6 administering public benefits or assistance programs for which the
7 child, the caregiver, or the caregiver's family may qualify;

8 (3) family counseling not provided under the Medicaid
9 program for the caregiver's family for a period not to exceed two
10 years from the date of initial placement;

11 (4) if the caregiver meets the eligibility criteria
12 determined by rules adopted by the executive commissioner,
13 reimbursement of all child-care expenses incurred while the child
14 is under 13 years of age, or under 18 years of age if the child has a
15 developmental disability, and while the department is the child's
16 managing conservator;

17 (5) if the caregiver meets the eligibility criteria
18 determined by rules adopted by the executive commissioner,
19 reimbursement of 50 percent of child-care expenses incurred after
20 the caregiver is appointed permanent managing conservator of the
21 child while the child is under 13 years of age, or under 18 years of
22 age if the child has a developmental disability; and

23 (6) at least \$500 per year for each child for
24 reimbursement of other expenses and the general care of the child,
25 as determined by rules adopted by the executive commissioner[~~7 not~~
26 ~~to exceed \$500 per year for each child~~].

27 (f) The department shall reimburse a relative or other

1 designated caregiver annually for expenses permitted under
2 Subsection (c)(6). The department shall issue the initial
3 reimbursement as soon as possible but not later than the 180th day
4 after the date the child or sibling group is placed with the
5 relative or designated caregiver. If the department does not
6 receive an initial request for reimbursement from the relative or
7 designated caregiver before the 180th day after the date of
8 placement, the department shall:

9 (1) make a good faith effort, as part of the
10 department's regular contact with the relative or designated
11 caregiver, to request submission of the initial reimbursement
12 request; and

13 (2) issue the reimbursement as soon as possible after
14 the department receives the request for reimbursement.

15 SECTION 2. (a) Sections 264.755(b) and (c), Family Code, as
16 amended by this Act, apply only to monetary assistance with respect
17 to a child who is initially placed with a relative or other
18 designated caregiver on or after the effective date of this Act.
19 Monetary assistance with respect to a child who is initially placed
20 with a relative or other designated caregiver before that date is
21 governed by the law in effect on the date of the initial placement,
22 and the former law is continued in effect for that purpose.

23 (b) Section 264.755(f), Family Code, as added by this Act,
24 applies only to the reimbursement of a relative or other designated
25 caregiver for expenses for which a completed request for
26 reimbursement is submitted to the Department of Family and
27 Protective Services on or after the effective date of this Act.

S.B. No. 780

1 SECTION 3. This Act takes effect September 1, 2017.