

- SUBJECT:** Creating a pilot program for relative caregivers for foster children
- COMMITTEE:** Human Services — favorable, without amendment
- VOTE:** 5 ayes — Uresti, Naishtat, McCall, Olivo, Reyna
0 nays
4 absent — Wohlgemuth, Christian, Miller, Villarreal
- SENATE VOTE:** On final passage, May 13 — voice vote
- WITNESSES:** No public hearing
- BACKGROUND:** The Department of Protective and Regulatory Services (DPRS) protects children from harm by their parents or by people responsible for their care. If preserving the family is not possible or if a safe home environment cannot be established and maintained, DPRS may petition a court to remove children from the home and place them temporarily or permanently with substitute families or caregivers. The agency also oversees foster care and adoptions for children who must be removed from their homes. DPRS provides money to foster and adoptive families to defray the costs of caring for children who otherwise would have to live in institutions. Family Code, sec. 264.103 limits direct payment to people who are designated foster parents, which does not include relatives who may take in children.
- DIGEST:** SB 58 would establish a one-year pilot program to place children who are under the state’s conservatorship with a relative caregiver — someone related to the child by consanguinity who is not licensed to provide foster care or who later is appointed the child’s permanent managing conservator.
- DPRS would have to conduct an investigation before placement. If placement occurred, the program would have to offer assistance to the relative caregiver by agreement, including:
- a one-time payment of \$1,000 per group of related children on initial placement and reimbursement of other expenses up to \$500 per year;

- child-care expenses until the caregiver was appointed permanent managing conservator and half of child-care expenses thereafter, if eligible;
- case management services until the caregiver was appointed permanent managing conservator; and
- up to two years of family counseling and referrals to other services.

DPRS would have to adopt policies and rules by December 1, 2003, to determine eligibility for assistance and would have to use existing resources to support the pilot program. The department would have to coordinate with other health and human services agencies and would have to seek and use federal funds. The program would have to begin by March 1, 2004, and DPRS would have to report an evaluation of the program by January 2, 2005.

The bill would take effect September 1, 2003.

**SUPPORTERS
SAY:**

SB 58 would help keep families together. It is best for the child and the family that they stay together, even if the child cannot stay with the parents. A grandmother or aunt might be willing to take the children but daunted by the financial burden of buying initial set-up items the children would need, such as bunk beds or extra towels and sheets. The pilot program would evaluate the impact of some assistance on family members' ability to take in children who were their relatives.

The bill would cost the state no money because the pilot program would have to be created with existing resources. Payment of the one-time assistance and ongoing support would not take money away from other children in the program, because this money would have been spent to support the children in the pilot program had they been placed in another setting.

**OPPONENTS
SAY:**

The bill's proposed definition of "relative caregiver" could create problems for family members' participation. Because the bill would define relatives who could participate as those who later were appointed the child's permanent managing conservator, family members might think that they were agreeing to become the child's conservator if they accepted assistance.