

SUBJECT: Removing deadline for new permanency care assistance agreements

COMMITTEE: Human Services — favorable, without amendment

VOTE: 8 ayes — Raymond, Frank, Keough, Klick, Minjarez, Rose, Swanson, Wu

0 nays

1 absent — Miller

WITNESSES: For — Katherine Barillas, One Voice Texas; Kathryn Freeman, Texas Baptist Christian Life Commission; Mercedes Bristol; Delia Martinez; (*Registered, but did not testify:* Greg Hansch, National Alliance on Mental Illness (NAMI) TX; Will Francis, National Association of Social Workers - Texas Chapter; Kate Murphy, Texans Care for Children; Katie Olse, Texas Alliance of Child and Family Services; Sarah Crockett, Texas CASA; Joshua Houston, Texas Impact; Clayton Travis, Texas Pediatric Society; Pamela McPeters, TexProtects (Texas Association for the Protection of Children); Knox Kimberly, Upbring)

Against — None

On — Anne Heiligenstein, Casey Family Programs Foundation; Elizabeth "Liz" Kromrei, Department of Family and Protective Services

BACKGROUND: The 81st Legislature in 2009 enacted HB 1151 by S. Thompson and SB 2080 by Uresti, which established the Permanency Care Assistance (PCA) program under the Department of Family and Protective Services (DFPS) (Family Code, ch. 264, subch. K).

The PCA program provides monthly financial support to kinship caregivers who take permanent legal custody of a child until the child turns 18. If a child is at least 16 years old when the PCA agreement is signed, the monthly support may last until the child turns 21.

Under DFPS rules (40 Texas Administrative Code, part 19, ch. 700,

subch. J, div. 2, §700.1029), a kinship caregiver qualifies for PCA if the person is granted permanent kinship conservatorship of a child, has cared for the child as a foster parent for at least six months, and has signed a PCA agreement. Under §700.1039, the maximum monthly payment is \$400 for basic care and up to \$545 for a child with greater needs.

Family Code, sec. 264.857 prohibits DFPS from entering into a new PCA agreement after August 31, 2017. DFPS must continue making payments to kinship caregivers who entered into a PCA agreement on or before that date.

DIGEST: HB 511 would remove the deadline for the Department of Family and Protective Services to enter into new permanency care assistance agreements.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

SUPPORTERS SAY: By removing the deadline for entering into new permanency care assistance (PCA) agreements, HB 511 would continue to alleviate the financial burden on kinship caregivers caring for an additional child. Kinship caregivers, particularly grandparents living on fixed incomes, who permanently care for a child need the financial support to ensure the success of a child's placement.

HB 511 would allow the PCA program to continue providing a path to permanency for foster children who cannot return home to their biological parents and for whom adoption is not an option. Living permanently with relatives offers these vulnerable children a more stable environment.

The PCA program also is more cost-effective than placing children in foster care. By removing the deadline for PCA agreements, HB 511 would result in a positive fiscal impact for the state, according to the Legislative Budget Board.

OPPONENTS
SAY: No apparent opposition.

NOTES: According to estimates by the Legislative Budget Board (LBB), HB 511 would have a positive impact of about \$3.4 million in general revenue related funds during fiscal 2018-19. It is assumed that the bill would result in an increase in PCA agreements. General revenue savings would be higher if more children were diverted from foster care and lower if more children were diverted from relative caregiver monetary assistance, according to the LBB.

A companion bill, SB 203 by West, was referred to the Senate Committee on Health and Human Services on January 25.