

SUBJECT: Extending supplemental TANF payments to certain relative caretakers

COMMITTEE: Human Services — favorable, without amendment

VOTE: 5 ayes — Frank, Hinojosa, Meza, Noble, Shaheen

0 nays

4 absent — Hull, Klick, Neave, Rose

SENATE VOTE: On final passage, April 29 — 31-0, on Local and Uncontested Calendar

WITNESSES: No public hearing.

BACKGROUND: Human Resources Code sec. 31.0041 allows the Health and Human Services Commission (HHSC) to provide supplemental financial assistance in addition to the amount of financial assistance granted for the support of a dependent child under applicable laws to a person who:

- is 45 years of age or older;
- is the grandparent of the dependent child who lives at the person's residence;
- is the primary caretaker of the dependent child;
- has a family income that is at or below 200 percent of the federal poverty level; and
- does not have resources that exceed the amount allowed for financial assistance under applicable laws.

Sec. 31.0324 requires that the HHSC executive commissioner develop and the commission implement a process that provides for the grandparent of a child receiving financial assistance to serve as a protective payee to:

- receive and use the assistance on behalf of the child; and
- apply for financial assistance and be interviewed instead of the child's parent at any subsequent review of eligibility required by

HHSC.

Some have raised concerns about the restrictions on eligibility for supplemental TANF payments to caretakers, which frequently exclude relatives who may need financial assistance to care for a child and who, without the assistance, may be forced to leave the child in foster care. Some have suggested expanding the eligibility requirements for receiving supplemental TANF payments to help keep children with family members and out of the foster care system.

DIGEST: SB 263 would modify eligibility requirements for supplemental financial assistance for support of a dependent child from allowing only grandparents 45 years of age or older to be eligible to allowing aunts, uncles, sisters, or brothers 25 years of age or older to be eligible.

The bill would include aunts, uncles, and siblings who are 25 years old or older among those who may serve as protective payees for the dependent child.

The bill would take effect September 1, 2021, and would apply only to a person receiving financial assistance on or after that date, regardless of the date on which eligibility for the financial assistance was determined.

NOTES: The House companion bill, HB 116 by Minjarez, was considered in a public hearing in the House Human Services Committee on April 13 and left pending.