

BILL ANALYSIS

Senate Research Center
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S.B. 723
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Health & Human Services
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Most child welfare experts and organizations agree that when a child is removed from his or her home by Child Protective Services, a relative foster care setting is generally preferable over a non-familial placement. However, a family may not have the financial resources to care for a family member who has been removed from his or her home. Whereas non-familial foster parents receive a daily payment for children in their care, kincare providers receive no more than a one time payment of \$1,000 and a yearly stipend of \$500. As a result, many children who have extended family willing to care for them must instead live in an alternative substitute care setting, ultimately creating more hardship for the child and costing the state more money.

As proposed, S.B. 723 requires the Department of Family and Protective Services (DFPS) to note and record when a potential placement of a child in foster care with a willing relative caregiver is not possible strictly for financial reasons. This bill requires DFPS to note any related payments to which the family or potential caregiver would be entitled and the amount of financial support that would be necessary to make the placement viable. The information collected and reported by DFPS will allow DFPS and the legislature to better understand whether there is a need to increase the kinship care provider subsidy, and if so, by how much.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter I, Chapter 264, Family Code, by adding Section 264.759, as follows:

Sec. 264.759. RECORDS OF PLACEMENTS THAT FAIL FOR FINANCIAL REASONS. (a) Requires the Department of Family and Protective Services (DFPS) to record each instance in which a placement under this subchapter is not able to be made solely because the relative or designated caregiver cannot afford to care for the child. Requires DFPS to document, if possible, the amount of monetary assistance and reimbursement to which the caregiver would be entitled and the amount of assistance that would have made the placement affordable for the caregiver.

(b) Requires DFPS to compile statistics based on information recorded under this section and report annually to the legislature regarding proposed placements that are not made in the preceding year due to financial reasons. Authorizes the report required under this subsection to be made in conjunction with other reports DFPS is required to submit to the legislature.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2007.