

## **BILL ANALYSIS**

Senate Research Center  
86R8382 MCK-F

H.B. 1884  
By: Minjarez; Miller (Alvarado)  
Health & Human Services  
5/13/2019  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Concerns have been raised regarding the adequacy of information about the permanency care assistance program provided to certain relatives or other caregivers of a child in the conservatorship of the Department of Family and Protective Services (DFPS) who is placed in the person's care. It has been suggested that better informing these caregivers of the benefits that may accrue if the relative or caregiver is verified by a licensed child-placing agency to operate an agency foster home could lead to a more positive and stable environment for an affected child. H.B. 1884 seeks to better inform those relatives and caregivers. The bill would amend Chapters 261 through 264 of the Family Code to require that for a child placed with a relative or other designated caregiver, the caregiver is informed of the option to become verified by a licensed child-placing agency and of the permanency care assistance program by and the courts at various stages during the managing conservatorship process

H.B. 1884 amends current law relating to the information provided to relative and other designated caregivers of children in the conservatorship of the Department of Family and Protective Services.

### **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 Section 261.3071(c), Family Code, as follows:

(c) Creates Subdivisions (4)(A) and (4)(B) from existing text. Requires information provided in the informational manuals published by the Department of Family and Protective Services (DFPS) to be in both English and Spanish and to include, as appropriate:

(1)–(3) makes no changes to these subdivisions;

(4) information regarding:

(A) the relative and other designated caregiver program under Subchapter I, Chapter 264 (Relative and Other Designated Caregiver Placement Program), and the option for the relative or other designated caregiver to become verified by a licensed child-placing agency to operate an agency foster home, if applicable; and

(B) the permanency care assistance program under Subchapter K (Permanency Care Assistance Program), Chapter 264; and

(5) makes no changes to this subdivision.

SECTION 2. Amends Section 262.201, Family Code, by adding Subsection (n-1), as follows:

(n-1) Requires the court, for a child placed with a relative of the child, to inform the relative of:

(1) the option to become verified by a licensed child-placing agency to operate an agency foster home, if applicable; and

(2) the permanency care assistance program under Subchapter K, Chapter 264.

SECTION 3. Amends Section 263.202, Family Code, by adding Subsection (i), as follows:

(i) Requires the court, for a child placed with a relative of the child, to inform the relative of:

(1) the option to become verified by a licensed child-placing agency to operate an agency foster home, if applicable; and

(2) the permanency care assistance program under Subchapter K, Chapter 264.

SECTION 4. Amends Section 263.306(c), Family Code, as follows:

(c) Requires the court, in addition to the requirements of Subsection (a-1) (relating to required actions of the court at each permanency hearing before the court issues a final order), at each permanency hearing before a final order is rendered to review DFPS efforts to:

(1) creates this subdivision from existing text and makes a nonsubstantive change; and

(2) for a child placed with a relative of the child or other designated caregiver, inform the caregiver of:

(A) the option to become verified by a licensed child-placing agency to operate an agency foster home, if applicable; and

(B) the permanency care assistance program under Subchapter K, Chapter 264.

SECTION 5. Amends Section 263.5031, Family Code, as follows:

Sec. 263.5031. PERMANENCY HEARINGS FOLLOWING FINAL ORDER. Requires the court, at each permanency hearing after the court renders a final order, to:

(1) makes no changes to this subsection;

(2) makes a nonsubstantive change to this subdivision;

(3) for a child placed with a relative of the child or other designated caregiver, review the efforts of DFPS to inform the caregiver of:

(A) the option to become verified by a licensed child-placing agency to operate an agency foster home, if applicable; and

(B) the permanency care assistance program under Subchapter K, Chapter 264; and

(4) creates this subdivision from existing text and makes no further changes.

SECTION 6. Amends Section 264.7541, Family Code, by adding Subsection (c), as follows:

(c) Requires DFPS, once a child is placed with a relative or other designated caregiver, to inform the caregiver of:

(1) the option to become verified by a licensed child-placing agency to operate an agency foster home, if applicable; and

(2) the permanency care assistance program under Subchapter K.

SECTION 7. Amends Section 264.755, Family Code, by adding Subsection (a-1), as follows:

(a-1) Requires DFPS, when a relative or other designated caregiver enters into a caregiver assistance agreement under Subsection (a) (relating to requiring DFPS, subject to the availability of funds, to enter into a caregiver assistance agreement with each relative or other designated caregiver to provide monetary assistance and additional support services to the caregiver), to inform the caregiver of:

- (1) the option to become verified by a licensed child-placing agency to operate an agency foster home, if applicable; and
- (2) the permanency care assistance program under Subchapter K.

SECTION 8. Effective date: September 1, 2019.