

SUBJECT: Foster care payments for students enrolled in high school after age 18

COMMITTEE: Juvenile Justice and Family Issues — favorable, without amendment

VOTE: 5 ayes — Dutton, Goodman, Castro, Nixon, Strama
0 nays
4 absent — Y. Davis, Dunnam, J. Moreno, Thompson

WITNESSES: None

BACKGROUND: Family Code, sec. 264.101 authorizes the Department of Protective and Regulatory Services (DPRS) to adopt rules that establish criteria and guidelines for the payment of foster care, including medical care, for a child. It also governs the provision of care to a child after age 18 if the child regularly is attending high school, an institution of higher education, or a vocational or technical program.

Under the Education Code, students who have not graduated from high school and are under age 21 on September 1 or at the start of the school year are eligible to attend public schools.

DIGEST: HB 614 would require the Health and Human Services Commission (HHSC) to continue to pay the cost of foster care for a child for whom DPRS provided care, including medical care, after the age of 18 if the child was enrolled in an accredited secondary school program leading toward a high school diploma.

The 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, 2005.

SUPPORTERS SAY: HB 614 would ensure that DPRS continued to support youths with disabilities who needed the additional time and financial support of a stable foster care living arrangement to complete high school or an individualized education program (IEP). Under current agency rules, DPRS extends paid foster care up to age 20 for youths in high school,

higher education, or vocational/technical training. However, some students with disabilities require additional time past the age of 20 to complete their IEPs. HB 614 would enable these young people to remain in the same foster care placement until they move d to adult services or an adult facility at age 21 or 22. The bill would apply only to students completing high school, not those in higher education or a vocational or technical program, and would affect a relatively small number of people. It would not add significant additional costs for DPRS.

**OPPONENTS
SAY:**

The bill should contain a specific reference to the completion of an IEP in authorizing payment for students completing high school.