

BILL ANALYSIS

Senate Research Center

H.B. 2103
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Health & Human Services
5/4/2001
Engrossed

DIGEST AND PURPOSE

Current law does not allow a grandparent caring for a grandchild to receive the grandchild's Temporary Assistance for Needy Families (TANF) cash assistance benefits when the parent of the child who ordinarily receives such benefits cannot be found. H.B. 2103 requires the Texas Department of Human Services to implement a process through which a grandparent of a child receiving financial assistance may act as a protective payee for the child.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Human Services in SECTION 1(Chapter 31B, Human Resources Code), of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 31B, Human Resources Code, by adding Section 31.0324 as follows:

Sec. 31.0324. ASSIGNMENT OF PROTECTIVE PAYEE. (a) Defines "protective payee."

(b) Requires the Texas Department of Human Services (department) by rule to develop and implement a process that provides for the grandparent of a child receiving financial assistance under this chapter 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 the department.

(c) Requires the department to limit the use of the process established by Subsection (b) to situations in which the department determines the parent is not using the assistance for the child's needs as required by Section 31.0355(a) and establish by rule the circumstances under which the grandparent may be removed as a protective payee.

SECTION 2. Requires an agency, if before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, to request the waiver or authorization and authorizes the agency to delay implementing that provision until the waiver or authorization is granted.

SECTION 3. Effective date: September 1, 2001.