

BILL ANALYSIS

Senate Research Center
80R7030 KLA-D

S.B. 1098
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Health & Human Services
3/21/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, children adopted from the state's foster care system are not eligible for health insurance assistance, which can act as a disincentive for more adoptions to take place. The number of adoptions have not been increasing at the same rate as the number of children entering the foster care system.

As proposed, S.B. 1098 implements an adoption incentive program that provides \$150 per month to families who adopt children who are wards of the state to enable those children to have health insurance. The program would be applicable to children who were in foster care at the time of their adoption, are ineligible for Medicaid, and are younger than 18 years of age.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 162.304, Family Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 162.304, Family Code, by adding Subsections (b-1) and (b-2) and amending Subsection (c), as follows

(b-1) Requires the Department of Protective and Regulatory Services (DPRS) to pay a \$150 subsidy each month for the premiums for health benefits coverage for a child with respect to whom a court has entered a final order of adoption if the child was in the conservatorship of DPRS at the time of the child's adoptive placement, if after the adoption, the child is not eligible for medical assistance under Chapter 32 (Medical Assistance program), Human Resources Code, and if the child is younger than 18 years of age.

(b-2) Requires the executive commissioner of the Health and Human Services Commission to adopt rules necessary to implement Subsection (b-1), including rules regarding the manner in which the DPRS is required to pay the subsidy, and any documentation required to be provided by an adoptive parent as proof that the subsidy is used to obtain and maintain health benefits coverage for the adopted child.

(c) Authorizes DPRS to subsidize the cost of medical care for a child in addition to the subsidies under Subsections (b) and (b-1), rather than just Subsection (b). Makes conforming and nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.