

BILL ANALYSIS

Senate Research Center
83R15318 JSL-F

C.S.S.B. 502
By: West
Health & Human Services
3/20/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In order to ensure that children and youths to be placed in foster care are prepared, pre-placement visits and the provision of a placement summary form are required. However, this same practice is not mandated in the case of kinship placements, because familiarity is assumed when the placement is with a relative. Unfortunately, despite the blood ties that children and youths may have with a kinship placement, they may not have had regular contact, and the potential caregiver may not be familiar with the child's history. A pre-placement visit would allow an opportunity for both child and caregiver to determine whether the placement is appropriate. In addition, the placement summary form ensures that the caregiver is aware of all of the child's medical, education, and behavioral issues and needs so these can be appropriately met. This information also ensures that the caregiver is aware of what will be required of him or her. Relatives are often not aware of a child's history and experiences and accept a placement with very little information. The ability to prepare for a placement, both through a pre-placement visit and receipt of a placement summary form, can strengthen the stability of a placement.

C.S.S.B. 502 requires the Department of Family and Protective Services, before placing a child with a relative caregiver, to arrange a visit between a child and the caregiver and to provide that caregiver with a form containing information about the child's educational, medical, and social history and needs. The form may be the same one given to nonrelative caregivers.

This bill also modifies provisions relating to monetary assistance provided by DFPS to a caregiver on initial placement of a child or sibling group.

C.S.S.B. 502 amends current law relating to placement of children with certain relatives or other designated caregivers.

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 264.7541, as follows:

Sec. 264.7541. CAREGIVER VISIT WITH CHILD; INFORMATION. (a) Requires the Department of Family and Protective Services (DFPS), except as provided by Subsection (b), before placing a child with a proposed relative or other designated caregiver, to:

- (1) arrange a visit between the child and the proposed caregiver; and
- (2) provide the proposed caregiver with a form, which may be the same form DFPS provides to nonrelative caregivers, containing information, to the extent it is available, about the child that would enhance continuity of care for the child, including:

- (A) the child's school information and educational needs;
- (B) the child's medical, dental, and mental health care information;
- (C) the child's social and family information; and
- (D) any other information about the child DFPS determines will assist the proposed caregiver in meeting the child's needs.

(b) Authorizes DFPS to waive the requirements of Subsection (a) if the proposed relative or other designated caregiver has a long-standing or significant relationship with the child and has provided care for the child at any time during the 12 months preceding the date of the proposed placement.

SECTION 2. Amends Section 264.755(b), Family Code, as follows:

(b) Requires that monetary assistance provided under this section include a one-time cash payment, rather than a one-time cash payment of not more than \$1,000, to the caregiver on the initial placement of a child or a sibling group. Prohibits the amount of the cash payment, as determined by DFPS, from exceeding \$1,000 for each child. Requires that the payment for placement of a sibling group be at least \$1,000 for the group, but prohibits the payment from exceeding \$1,000 for each child in the group.

SECTION 3. Provides that the change in law made by this Act applies only to the placement of a child for whom DFPS is named managing conservator on or after the effective date of this Act.

SECTION 4. Provides that the change in law made by this Act to Section 264.755(b), Family Code, does not make an appropriation or require a specific appropriation. Requires that the new duty imposed on DFPS as a result of the changes to that section be performed through the appropriations provided by the legislature as part of the existing responsibilities of DFPS.

SECTION 5. Effective date: September 1, 2013.