



To: Texas Judges Hearing Child Protective Services Cases

From: Hon. John Specia (ret.), Jurist in Residence  
Office of Court Administration

Date: October 3, 2012

RE: **Permanency Care Assistance Program – 3rd JIR**

Greetings fellow judges! This is another Jurist in Residence Letter about helping children in foster care achieve permanency as quickly as possible. DFPS began the Permanency Care Assistance (PCA) program in September 2010 to offer long-term financial assistance to relative and fictive kin caregivers who take permanent legal responsibility for children in DFPS conservatorship. Since then, 633 children have exited foster care through this program. Another 304 are on track to exit through PCA over the next 6 to 12 months. However, we still have lots of children who need to find permanent homes, and many are eligible for this program if and when we are able to connect them with a verified caregiver. DFPS has developed a bench card on PCA [linked here](#) to summarize the requirements that must be met for a relative or fictive kin caregiver to qualify for PCA benefits. Requests for information can also be sent to your CPS Conservatorship Program Administrator or to, [fosteringconnections@dfps.state.tx.us](mailto:fosteringconnections@dfps.state.tx.us).

**Q: What benefits does the PCA provide to qualifying caregivers?**

**A:** 1) Monthly cash assistance similar to adoption assistance, 2) Medicaid health coverage, and 3) A one-time reimbursement capped at \$1,200 for nonrecurring expenses, including legal fees incurred in the process of obtaining custody of the child.

**Q: What are the key requirements?**

**A:** 1) The caregiver is a verified foster home, 2) The child has been placed with the verified caregiver for at least six months following the date of the verification, 3) DFPS has determined that reunification and adoption are not appropriate permanency options for the child, and 4) DFPS and the caregiver have signed a PCA Agreement and it is on file PRIOR TO the award of PMC to the caregiver.

**Q: Which caregivers qualify?**

**A:** 1) One who is related or who has a longstanding relationship with the child prior to the child being placed with the caregiver, and 2) Is a verified foster parent who has had the child placed in their home for at least six consecutive months after becoming verified and prior to appointment as PMC.

**Q: When does the "six consecutive month" eligibility period begin?**

**A:** If the child is already placed with the caregiver, the six consecutive month period begins as soon as the caregiver becomes a verified foster parent and DFPS records the placement. If the child is not placed with the caregiver when they become verified, the six consecutive month period begins once the child is placed with the verified caregiver. The child must reside with the verified kin for at least six months AFTER verification and PRIOR to the award of PMC.

**Q: Does the caregiver receive financial assistance during the six month period?**

**A:** Yes. Caregivers receive foster care payments the same as any other verified foster family at the same rate until PCA payments begin once the court awards PMC to the caregiver.

**Q: How do the statutory deadlines affect PCA arrangements?**

**A:** The one-year deadline to dismiss a case still applies. For example, if a caregiver becomes verified prior to the 12 month dismissal date, but the child has NOT lived with the caregiver at least six months after the verification is effective, the case must be extended under §263.401 to satisfy the six month residency requirement.

**Q: Does the PCA program replace the existing DFPS program that offers financial and other benefits?**

**A:** No. Relatives and fictive kin who do not meet the eligibility criteria under the PCA program can continue to take advantage of the Relative and Other Designated Caregiver Program.