

AMENDED IN ASSEMBLY APRIL 16, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 557

Introduced by Assembly Member Aroner

February 21, 2001

An act to ~~repeal and add Section 11461 of, and to add Chapter 1.5 (commencing with Section 16030) to Part 4 of Division 9 of, the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 557, as amended, Aroner. Public social services: foster care.

Existing law requires the State Department of Social Services to conduct the licensing and regulation of all foster care homes.

This bill would declare the intent of the Legislature to remedy the urgent need to recruit and retain licensed foster family homes for children who are placed in out of home placements.

This bill would further establish the Foster Parent Recruitment and Retention Program to be administered by the department in consultation with the County Welfare Directors Association. This bill would set forth the activities to be utilized in the effort of recruitment and retention of foster parents and would set forth the funding to be allocated from the annual Budget Act or another statute.

Existing law provides for the reimbursement of foster care providers under the state's Aid to Families with Dependent Children (AFDC) program, including payment for children placed in a licensed or approved family home with a capacity of 6 or less or in an approved home of a relative or nonrelated legal guardian and provides for the

adjustment of these reimbursement rates at the rate of 6% on July 1, 1998.

~~This bill would repeal and recast these provisions and increase the statutorily permitted reimbursement rate for children placed in a licensed or approved family home with a capacity of 6 or less or an approved home of a relative or nonrelated legal guardian, commencing with the 2001-02 fiscal year, with an increase based on the annual change in the California Necessities Index, computed pursuant to the methodology described in Section 11453, and subject to the availability of funds.~~

~~Existing law provides for the payment of a “specialized care increment” to foster families on behalf of an AFDC-FC child requiring specialized care to a home in addition to the basic rate of reimbursement. Also, existing law provides for a “clothing allowance” to an AFDC-FC child in addition to the basic rate for an initial supply of clothing and school or other uniform.~~

~~This bill would continue and maintain the current system of reimbursement for both specialized care and clothing allowances as is received on the effective date of this bill and will prescribe the method of annual adjustment in accordance with the same methodology as described for the basic rate.~~

~~This bill would make an appropriation by increasing the amount of the continuing appropriation from the General Fund, and to the extent this bill would expand the responsibilities of counties, this bill would result in a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

~~Vote: $\frac{2}{3}$ majority. Appropriation: *yes no*. Fiscal committee: *yes*. State-mandated local program: *yes no*.~~



The people of the State of California do enact as follows:

1 SECTION 1. ~~Section 11461 of the Welfare and Institutions~~
2 ~~Code is repealed.~~

3 SEC. 2. ~~Section 11461 is added to the Welfare and Institutions~~
4 ~~Code, to read:~~

5 ~~11461. (a) For children placed in a licensed or approved~~
6 ~~family home with a capacity of six or less or in an approved home~~
7 ~~of a relative or nonrelated legal guardian, the per child per month~~
8 ~~rates in the following schedule shall be in effect for the period~~
9 ~~January 1, 2001, to June 30, 2001, inclusive:~~

—Age	Basic rate
0-4	\$ 403
5-8	438
9-11	468
12-14	519
15-20	567

17
18 This schedule of basic rates shall be adjusted to reflect the cost
19 of living adjustment established in the Budget Act of 2000.

20 (b) ~~Beginning with the 2001-02 fiscal year until and including~~
21 ~~the 2004-05 fiscal year, the schedule of basic rates in subdivision~~
22 ~~(a) and other special payments specified in subdivisions (d) and (e)~~
23 ~~shall be adjusted annually by 5 percent.~~

24 (c) ~~Beginning with the 2001-02 fiscal year, the schedule of~~
25 ~~basic rates in subdivision (a) shall be adjusted by the percentage~~
26 ~~changes in the California Necessities Index, computed pursuant to~~
27 ~~the methodology described in Section 11453, subject to the~~
28 ~~availability of funds.~~

29 (d) (1) ~~As used in this section, “specialized care increment”~~
30 ~~means an approved amount paid with state participation on behalf~~
31 ~~of an AFDC-FC child requiring specialized care to a home listed~~
32 ~~in subdivision (a) in addition to the basic rate. On January 1, 2001,~~
33 ~~the department shall continue and maintain the then current~~
34 ~~ratesetting system for specialized care.~~

35 (2) ~~Any county that, as of January 1, 2001, has in effect~~
36 ~~specialized care increments that have been approved by the~~
37 ~~department, shall continue to receive state participation for those~~
38 ~~payments.~~



1 ~~(3) Except for subparagraph (B), beginning January 1, 2001,~~
2 ~~specialized care increments shall be adjusted in accordance with~~
3 ~~the methodology for the schedule of basic rates described in~~
4 ~~subdivision (b). No county shall receive state participation for any~~
5 ~~increases in a specialized care increment which exceeds the~~
6 ~~adjustments made in accordance with this methodology.~~

7 ~~(e) (1) As used in this section, "clothing allowance" means~~
8 ~~the amount paid with state participation in addition to the basic rate~~
9 ~~for the provision of additional clothing for an AFDC-FC child,~~
10 ~~including, but not limited to, an initial supply of clothing and~~
11 ~~school or other uniforms.~~

12 ~~(2) Any county that, as of January 1, 2001, has in effect~~
13 ~~clothing allowances, shall continue to receive the same level as it~~
14 ~~received on January 1, 2001.~~

15 ~~(3) Beginning January 1, 2001, clothing allowances shall be~~
16 ~~adjusted annually in accordance with the methodology for the~~
17 ~~schedule of basic rates described in subdivision (b). No county~~
18 ~~shall be reimbursed for any increases in clothing allowances which~~
19 ~~exceed the adjustments made in accordance with this~~
20 ~~methodology.~~

21 ~~SEC. 3.—~~

22 *SECTION 1.* Chapter 1.5 (commencing with Section 16030)
23 is added to Part 4 of Division 9 of the Welfare and Institutions
24 Code, to read:

25
26 CHAPTER 1.5. FOSTER PARENT RECRUITMENT AND RETENTION
27 PROGRAM
28

29 16030. (a) The Legislature finds and declares that there is an
30 urgent need to recruit and retain licensed foster family homes to
31 provide children placed in out-of-home placements, in the least
32 restrictive and the most family-like setting possible.

33 (b) It is the intent of the Legislature to assist counties in the
34 recruitment and retention of these placements by creating the
35 Foster Parent Recruitment and Retention Program.

36 16031. There is hereby established the Foster Parent
37 Recruitment and Retention Program.

38 16032. The State Department of Social Services shall
39 administer, in consultation with the County Welfare Directors



1 Association, the Foster Parent Recruitment and Retention
2 Program.

3 (a) Recruitment and retention activities allowed under the
4 program shall include, but, not be limited to:

5 (1) Supplemental payments to foster family homes that care for
6 sibling groups.

7 (2) Respite care.

8 (3) Advertising and media marketing recruitment campaigns.

9 (4) First and third-party liability insurance to cover property
10 damage.

11 ~~(5) The use of county based foster parent advocates to support
12 and work on behalf of foster parents.~~

13 *(5) The use of additional caseworkers to directly assist and
14 support foster families in the licensing and training process,
15 working with the county child welfare agency to resolve problems
16 related to the foster family home, the foster children placed in the
17 home and their families, and to obtain additional training and
18 assistance as necessary.*

19 (6) The use of foster parents as recruiters, and additional
20 support for such foster parents.

21 (7) Additional retention supports, including one-time costs of
22 purchasing items such as beds and school uniforms.

23 (8) Other locally designed recruitment and retention activities,
24 as appropriate.

25 (b) A ~~County~~ county that elects to participate in the program
26 shall submit an annual foster parent recruitment and retention plan
27 to the State Department of Social Services. Counties shall work
28 with organizations representing current and former foster youth,
29 foster family homes, and other interested groups to create the plan.

30 (c) Participating counties shall submit annually, a self
31 assessment of the effectiveness of the local recruitment and
32 retention activities at increasing the number of foster family
33 homes and increasing the retention of those homes.

34 (d) Annual funding allocations shall be determined by the
35 department, in consultation with the County Welfare Directors
36 Association.

37 (e) Funding for the Foster Parent Recruitment and Retention
38 Program is subject to appropriation in the annual Budget Act or
39 another statute. Funding for the program shall be provided without



1 a county match requirement and may be used as a match to draw
2 down federal funding sources, as appropriate.

3 ~~SEC. 4. Notwithstanding Section 17610 of the Government~~
4 ~~Code, if the Commission on State Mandates determines that this~~
5 ~~act contains costs mandated by the state, reimbursement to local~~
6 ~~agencies and school districts for those costs shall be made pursuant~~
7 ~~to Part 7 (commencing with Section 17500) of Division 4 of Title~~
8 ~~2 of the Government Code. If the statewide cost of the claim for~~
9 ~~reimbursement does not exceed one million dollars (\$1,000,000),~~
10 ~~reimbursement shall be made from the State Mandates Claims~~
11 ~~Fund.~~

