

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY MARCH 9, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 295**

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**Introduced by Assembly Member Ammiano**

February 17, 2009

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An act to amend Sections 16124, 18250, 18251, 18253, 18253.5, 18254, 18255, 18256, and 18256.5 of, and to amend the heading of Chapter 4 (commencing with Section 18250) of Part 6 of Division 9 of, *and to add Section 18258 to*, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 295, as amended, Ammiano. Children: wrap-around and adoption services.

(1) Existing law requires, upon appropriation by the Legislature of funds for this purpose, that the State Department of Social Services establish a 3-year project in 4 counties, including San Francisco and Los Angeles Counties, and one state district office, and further requires that funding to those counties from appropriations in the annual Budget Act be used to provide funding for preadoption and postadoption services to ensure the successful adoption of a targeted population of children who have been in foster care 18 months or more. Existing law requires the department to work with counties to develop requirements for the project, and to provide information on the results of the project to the Legislature, by November 30, 2010.

This bill would extend the availability of funds appropriated for the specified adoption activities to June 30, 2010, and would also extend

the date for the department to provide the related information to the Legislature to May 31, 2011.

(2) Under existing law, the State Department of Social Services administers a pilot project that authorizes a county to develop and implement a plan for providing wrap-around services designed to enable children who would otherwise be placed in a group home setting to remain in the least restrictive, most family-like setting possible. The pilot project ~~also imposes specified evaluation and reporting requirements for participating counties, and training requirements for staff in participating counties.~~ *These provisions require each participating county to conduct an evaluation to determine the cost-effectiveness and treatment effectiveness of specified outcomes, including academic performance, and to file periodic reports containing prescribed information with the appropriate committees of the Legislature and the department for the purpose of assessing the effectiveness of the pilot program.*

This bill would remove the designation of this program as a pilot project and make conforming changes.

*This bill would delete the requirement that the evaluation conducted by a participating county consider the cost-effectiveness and treatment effectiveness of the outcome of academic performance, and would, instead, require it to consider the outcome of stability in the least restrictive school placement.*

*This bill would require that the periodic reports filed by a participating county also include consideration of the impact of wrap-around services on improving performance in applicable California Child and Family Service Review System outcome indicators, such as safety, permanency, and child well-being.*

(3) Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which health care services are provided to qualified low-income persons.

*Existing law creates the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which a combination of federal, state, and county funds are used to provide reimbursement to families and facilities providing foster care to eligible children.*

*Existing law requires the State Department of Social Services to administer the Adoption Assistance Program, under which aid is provided to persons adopting children, based on the needs of those children.*

*Existing federal law establishes the Independent Living Program for foster youth to be administered by counties with federal and state funds.*

*This bill would require that a child that is otherwise categorically eligible for Medi-Cal benefits without a share of cost due to being a recipient of benefits under the AFDC-FC program or the Adoption Assistance Program shall remain eligible for Medi-Cal benefits for the time specified in the child's individualized services plan established pursuant to the Wrap-Around Services Program, as prescribed.*

*This bill would also require that a child who reaches 16 years of age while receiving wrap-around services be eligible to request and receive independent living services pursuant to the Independent Living Program.*

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

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

1 SECTION 1. Section 16124 of the Welfare and Institutions  
2 Code is amended to read:

3 16124. (a) (1) Upon the appropriation of funds by the  
4 Legislature for the purposes set forth in this section, the State  
5 Department of Social Services shall establish a project in four  
6 counties and one state district office of the department to provide  
7 preadoption and postadoption services to ensure the successful  
8 adoption of children and youth who have been in foster care 18  
9 months or more, are at least nine years of age, and are placed in  
10 an unrelated foster home or in a group home.

11 (2) The participating entities shall include the following:

12 (A) City and County of San Francisco.

13 (B) County of Los Angeles.

14 (C) Two additional counties and one state district office, based  
15 on criteria developed by the department in consultation with the  
16 County Welfare Directors Association, which shall demonstrate  
17 geographic diversity.

18 (3) A county that elects to apply for funding pursuant to this  
19 section shall submit an application to the department no later than  
20 a date determined by the department to ensure timely allocation  
21 of funds. The department shall review the applications received,  
22 and select the eligible counties in accordance with this section.

23 (b) Each entity identified pursuant to paragraph (2) of  
24 subdivision (a) shall receive funding to provide preadoption and

1 postadoption services to the adoptive parents and the targeted  
2 population identified in paragraph (1) of subdivision (a).

3 (1) Preadoption and postadoption services for the child and each  
4 family may include, but shall not be limited to, all of the following:

- 5 (A) Individualized or other recruitment efforts.
- 6 (B) Postadoption services, including respite care.
- 7 (C) Behavioral health services.
- 8 (D) Peer support groups.
- 9 (E) Information and referral services.
- 10 (F) Other locally designed services, as appropriate.
- 11 (G) Relative search efforts.
- 12 (H) Training of adoptive parents, foster youth, or mentoring  
13 families.
- 14 (I) Mediation services.
- 15 (J) Facilitation of siblings in the same placement.
- 16 (K) Facilitation of postadoption contact.
- 17 (L) Engaging youth in permanency decisionmaking.
- 18 (M) Any service or support necessary to resolve any identified  
19 barrier to adoption.

20 (2) The services specified in paragraph (1) may be provided  
21 directly by the county, contracted for by the county, or provided  
22 through reimbursement to the family, as approved by the county.

23 (c) The amount of funding provided in the appropriation of  
24 funds provided by the annual Budget Act to each county  
25 participating in the project shall be allocated as follows:

26 (1) Seven hundred fifty thousand dollars (\$750,000) to the City  
27 and County of San Francisco.

28 (2) One million two hundred fifty thousand dollars (\$1,250,000)  
29 to the County of Los Angeles.

30 (3) A total of two million dollars (\$2,000,000), to be awarded  
31 to the two additional counties and the district office selected  
32 pursuant to subparagraph (C) of paragraph (3) of subdivision (a),  
33 minus any funds subtracted by the department for the purpose of  
34 administering the project. The amount of funds provided to the  
35 department for administration of the project, including the costs  
36 of collecting and analyzing data pursuant to subdivision (h) and  
37 developing the information pursuant to subdivision (i), shall not  
38 exceed three hundred thousand dollars (\$300,000).

39 (4) If the appropriated amount in the annual Budget Act differs  
40 from the total amount specified above, then the funds shall be

1 distributed in the same proportion as the amounts listed in  
2 paragraphs (1) to (3), inclusive.

3 (d) Funds shall be allocated to the counties pursuant to  
4 subdivision (c) no later than January 1 of each year, and shall  
5 remain available for expenditure until June 30, 2010.

6 (e) (1) The department shall seek approval for any federal  
7 matching funds that may be available to supplement the project.

8 (2) The implementation of the project shall not be dependent  
9 upon the receipt of federal funding.

10 (3) Project funds shall supplement, and not supplant, existing  
11 federal, state, and local funds, and shall be used only in accordance  
12 with the terms and conditions of the project.

13 (4) No expenditure made for services specified in subdivision  
14 (b) may be made to the extent that it renders the family ineligible  
15 for federal adoption assistance.

16 (f) The project shall be implemented only upon the adoption of  
17 a resolution adopted by each county board of supervisors.

18 (g) The department shall work with the counties to develop the  
19 requirements for the project, including the number of families that  
20 may participate in the project, given the available resources, and  
21 guidelines for data collection, as required by subdivision (h).

22 (h) (1) The department shall work with the participating county  
23 and the state district office to analyze the effects of the project.

24 (2) Measures assessed by the state and counties shall include,  
25 but shall not be limited to, the following:

26 (A) The extent to which the adoptions of the targeted population  
27 identified in paragraph (1) of subdivision (a) increased as a result  
28 of the project.

29 (B) The number of families and children served by the project.

30 (C) The type and amount of preadoption and postadoption  
31 services that were provided to children and families under the  
32 project.

33 (i) The department shall provide information to the Legislature  
34 on the results of the project by May 31, 2011.

35 (j) Adoption programs in the project counties shall be  
36 encouraged to create public-private partnerships with private  
37 adoption agencies to maximize their success in improving  
38 permanent outcomes for older foster youth.

1 SEC. 2. The heading of Chapter 4 (commencing with Section  
2 18250) of Part 6 of Division 9 of the Welfare and Institutions Code  
3 is amended to read:

4  
5 CHAPTER 4. COUNTY WRAP-AROUND SERVICES PROGRAM  
6

7 SEC. 3. Section 18250 of the Welfare and Institutions Code is  
8 amended to read:

9 18250. (a) It is the intent of the Legislature that all counties  
10 be authorized to provide children with service alternatives to group  
11 home care through the development of expanded family-based  
12 services programs. These programs shall include individualized  
13 or “wrap-around” services, where services are wrapped around a  
14 child living with his or her birth parent, relative, *nonrelative*  
15 *extended family member as defined in Section 362.7*, adoptive  
16 parent, licensed or certified foster parent, or guardian. The  
17 wrap-around services developed under this section shall build on  
18 the strengths of each eligible child and family and be tailored to  
19 address their unique and changing needs.

20 (b) It is further the intent of the Legislature that the ~~child~~ *county*  
21 wrap-around services program include the following elements:

22 (1) Making available to the county the state share of nonfederal  
23 reimbursement for group home placement, minus the state share,  
24 if any, of any concurrent out-of-home placement costs, for children  
25 eligible under this chapter, for the purpose of allowing the county  
26 to develop family-based service alternatives.

27 (2) Enabling the county to access all possible sources of federal  
28 funds for the purpose of developing family-based service  
29 alternatives.

30 (3) Encouraging collaboration among persons and entities  
31 including, but not limited to, parents, county welfare departments,  
32 county mental health departments, county probation departments,  
33 county health departments, special education local planning  
34 agencies, school districts, and private service providers for the  
35 purpose of planning and providing individualized services for  
36 children and their birth or substitute families.

37 (4) Ensuring local community participation in the development  
38 and implementation of wrap-around services by county placing  
39 agencies and service providers.

1 (5) Preserving and using the service resources and expertise of  
2 nonprofit providers to develop family-based and community-based  
3 service alternatives.

4 SEC. 4. Section 18251 of the Welfare and Institutions Code is  
5 amended to read:

6 18251. As used in this chapter:

7 (a) “County” means each county participating in an  
8 individualized or “wrap-around” services program.

9 (b) “County placing agency” means a county welfare or  
10 probation department, or a county mental health department with  
11 respect to those children placed pursuant to Section 7572.5 of the  
12 Government Code.

13 (c) “Eligible child” means a child who is any of the following:

14 (1) A child who has been adjudicated as either a dependent or  
15 ward of the juvenile court pursuant to Section 300, 601, or 602  
16 and who would be placed in a group home licensed by the  
17 department at a rate classification level of 10 or higher.

18 (2) A child who would be voluntarily placed in out-of-home  
19 care pursuant to Section 7572.5 of the Government Code.

20 (3) A child who is currently, or who would be, placed in a group  
21 home licensed by the department at a rate classification level of  
22 10 or higher.

23 (d) “Wrap-around services” means community-based  
24 intervention services that emphasize the strengths of the child and  
25 family and includes the delivery of coordinated, highly  
26 individualized unconditional services to address needs and achieve  
27 positive outcomes in their lives.

28 (e) “Service allocation slot” means a specified amount of funds  
29 available to the county to pay for an individualized intensive  
30 wraparound services package for an eligible child. A service  
31 allocation slot may be used for more than one child on a successive  
32 basis.

33 SEC. 5. Section 18253 of the Welfare and Institutions Code is  
34 amended to read:

35 18253. Each county shall ensure that an evaluation of the  
36 wrap-around services program is conducted to determine the ~~cost-~~  
37 *cost-effectiveness* and treatment effectiveness of outcomes such  
38 as family functioning and social performance, preventing placement  
39 in more restrictive environments, improving emotional and  
40 behavioral adjustments, school attendance, and ~~academic~~

1 ~~performance for eligible children. Systems of care outcomes~~  
2 ~~stability in the least restrictive school placement for eligible~~  
3 ~~children. The California Child and Family Service Review System~~  
4 ~~outcome indicators, as described in Section 10601.2, shall be~~  
5 included to the extent they are applicable to the target population.

6 SEC. 6. Section 18253.5 of the Welfare and Institutions Code  
7 is amended to read:

8 18253.5. Each county shall ensure that staff participating in  
9 the wrap-around services programs have completed training  
10 provided or approved by the department, on providing  
11 individualized wrap-around services.

12 SEC. 7. Section 18254 of the Welfare and Institutions Code is  
13 amended to read:

14 18254. (a) Reimbursement rates for wrap-around services  
15 programs, under this chapter, shall be based on the following  
16 factors:

17 (1) The average cost of rate classification 10 to 11 in each  
18 county, minus the cost of any concurrent out-of-home placement,  
19 for children who are or would be placed in a rate level 10 or 11  
20 group home.

21 (2) The average cost of rate classification 12 to 14 in each  
22 county, minus the cost of any concurrent out-of-home placement,  
23 for children who are or would be placed in a rate level 12 to 14  
24 group home.

25 (b) The annual maximum limit on funding available for the  
26 wrap-around services program authorized by this chapter shall be  
27 based on the average cost, determined pursuant to subdivision (a),  
28 for the number of service allocation slots assigned to each county.

29 (c) The department shall reimburse each county, for the purpose  
30 of providing intensive wrap-around services, up to 100 percent of  
31 the state share of nonfederal funds, to be matched by each county's  
32 share of cost as established by law, and to the extent permitted by  
33 federal law, up to 100 percent of the federal funds allocated for  
34 group home placements of eligible children, at the rate authorized  
35 pursuant to subdivision (a).

36 (d) State and, to the extent permitted by federal law, federal  
37 foster care funds shall remain with the administrative authority of  
38 the county *child* welfare department, which may enter into an  
39 interagency agreement to transfer those funds, and shall be used  
40 to provide intensive wraparound services.

1 (e) General Fund costs for the provision of benefits to eligible  
2 children, at rates authorized by subdivision (a), through the  
3 wrap-around services program authorized by this chapter, shall  
4 not exceed the costs which would otherwise have been incurred  
5 had the eligible children been placed in a group home.

6 SEC. 8. Section 18255 of the Welfare and Institutions Code is  
7 amended to read:

8 18255. Any county that applies to, and is granted approval, by  
9 *approval by*, the department may implement a wrap-around  
10 services program. The number of service allocation slots assigned  
11 to each county shall be determined by each county and approved  
12 by the department.

13 SEC. 9. Section 18256 of the Welfare and Institutions Code is  
14 amended to read:

15 18256. Each county shall evaluate its wrap-around services  
16 program, prepare periodic evaluations, and submit them to the  
17 appropriate committees of the Legislature and to the department.  
18 A report shall be submitted not later than six months following  
19 the start of the third year of the wrap-around services program. A  
20 subsequent report shall be submitted not later than six months  
21 following the end of the fifth year of the wrap-around services  
22 program. These reports shall assess the effectiveness of the  
23 wrap-around services program authorized by this chapter. The  
24 reports shall include, but need not be limited to, all of the  
25 following:

26 (a) The effectiveness of the programs in reducing the level of  
27 out-of-home services required, and in reducing the average length  
28 of stay in out-of-home care.

29 (b) A comparison of the cost of placement and services for  
30 children in the wrap-around services program with the average  
31 cost of out-of-home placement for the same number of children.

32 (c) The effectiveness of the wrap-around services program in  
33 assisting children and families in attaining their service goals.

34 (d) *The impact of wrap-around services on improving*  
35 *performance in applicable California Child and Family Service*  
36 *Review System outcome indicators, such as safety, permanency,*  
37 *and child well-being.*

38 SEC. 10. Section 18256.5 of the Welfare and Institutions Code  
39 is amended to read:

1 18256.5. In order to prevent disruption to a child participating  
2 in a wrap-around services program, any county that terminates its  
3 wrap-around services program shall continue to provide to that  
4 participating child all planned services specified in the child's  
5 individualized services plan until his or her case is closed.

6 *SEC. 11. Section 18258 is added to the Welfare and Institutions*  
7 *Code, to read:*

8 *18258. (a) A child that is otherwise categorically eligible for*  
9 *Medi-Cal benefits without a share of cost due to receipt of benefits*  
10 *under the Aid to Families with Dependent Children-Foster Care*  
11 *(AFDC-FC) program or the Adoption Assistance Program shall*  
12 *remain eligible for Medi-Cal benefits for the time specified in the*  
13 *child's individualized services plan established pursuant to this*  
14 *chapter. The placement of a child in his or her parental home shall*  
15 *not represent a change in the child's foster care status for purposes*  
16 *of Medi-Cal eligibility for the duration of the child's individualized*  
17 *services plan. Medi-Cal eligibility shall not be redetermined when*  
18 *the child is returned to the parental home pursuant to his or her*  
19 *individualized services plan.*

20 *(b) A child who reaches 16 years of age while receiving*  
21 *wrap-around services shall be eligible to request and receive*  
22 *independent living services pursuant to Section 10609.3.*