

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1920

Introduced by Assembly Member Davis

February 16, 2010

~~An act relating to elder and dependent abuse.~~ *An act to add Section 16168 to the Welfare and Institutions Code, relating to foster youth.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1920, as amended, Davis. ~~Elder and dependent abuse reporting: repeal date.~~ *Foster youth: personal information: pilot program.*

Existing law establishes the Office of the State Foster Care Ombudsperson in the State Department of Social Services with prescribed powers and duties relating to the management of foster children, including the dissemination of information on the rights of children and youth in foster care.

This bill would require the office to take all necessary steps to establish and implement an Internet Web-based foster care document storage pilot program and authorize the counties of Los Angeles, San Francisco, and San Bernardino to participate in this pilot program in accordance with the bill. The bill would provide that the pilot program would consist of an interactive, secured Internet Web site designed to give foster youth and their care providers access to designated personal information of the foster youth. The bill would require the office to ensure that the Internet Web site maintains the confidentiality of medical and other records on the Internet Web site, consistent with applicable state and federal law.

This bill would authorize the funding of the pilot program through private, public, or nonprofit funding sources.

~~Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, establishes procedures for the reporting, investigation, and prosecution of elder and dependent adult abuse. These procedures require persons, defined as mandated reporters, to report known or suspected instances of elder or dependent adult abuse. Under existing law, care custodians of elder or dependent adults and local law enforcement agencies are mandated reporters. With certain exceptions, a violation of the reporting requirements by a mandated reporter is a misdemeanor.~~

~~Existing law, the Financial Elder Abuse Reporting Act of 2005, until January 1, 2013, includes within these reporting requirements mandated reporters of suspected financial abuse, as defined, and makes failure to comply with these requirements, with certain exceptions, subject to a civil penalty.~~

~~The act also, until January 1, 2013, provides that a county adult protective services office and a long-term care ombudsman when investigating the financial abuse of an elder or dependent adult is not prohibited from requesting financial information and the office or branch of a financial institution is not prohibited from responding to the request.~~

~~This bill would declare the intent of the Legislature to enact legislation that would delete the January 1, 2013, repeal for the Financial Elder Abuse Reporting Act of 2005.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

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

- 1 SECTION 1. Section 16168 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 16168. (a) The Office of the State Foster Care Ombudsperson
- 4 shall take all necessary steps, including consulting with all
- 5 appropriate state departments, to establish and implement an
- 6 Internet Web-based foster care document storage pilot program,
- 7 and authorize the counties of Los Angeles, San Francisco, and
- 8 San Bernardino to participate in this pilot program in accordance
- 9 with this section.
- 10 (b) The pilot program established pursuant to this section shall
- 11 consist of an interactive, secured, Internet Web site, designed to
- 12 give foster youth and their care providers access to the foster
- 13 youth's personal information, as described in subdivision (c).

1 (c) *The information maintained on the Internet Web site shall*
2 *include, but shall not be limited to, all of the following:*

- 3 (1) *Birth records.*
- 4 (2) *Social security numbers.*
- 5 (3) *Immunization and other medical records.*
- 6 (4) *School records.*
- 7 (5) *Official identification cards.*
- 8 (6) *Resumes.*

9 (d) *The Internet Web site shall allow a foster child to develop*
10 *a personal database to store important telephone numbers and*
11 *addresses.*

12 (e) *The Internet Web site shall also provide information and*
13 *links to connect foster youth to appropriate resources to meet their*
14 *educational needs, independent living skills requirements, and*
15 *work needs.*

16 (f) *The office shall ensure that the Internet Web site maintains*
17 *the confidentiality of medical and other records on the Internet*
18 *Web site, consistent with the requirements of this section and*
19 *applicable state and federal law.*

20 (g) *The pilot program established under this section may be*
21 *funded through private, public, or nonprofit funding sources.*

22 ~~SECTION 1. It is the intent of the Legislature to enact~~
23 ~~legislation that would delete the repeal date for the Financial Elder~~
24 ~~Abuse Reporting Act of 2005 (Chapter 140 of the Statutes of 2005).~~