

AMENDED IN SENATE JUNE 10, 2014

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2061

Introduced by Assembly Member Chau

February 20, 2014

An act to add ~~Article 5.5 (commencing with Section 11420) to Chapter 2 of Part 3 of Division 9 of Section 18262~~ to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2061, as amended, Chau. ~~Housing Program for Homeless Families Receiving Child Welfare Services. Child welfare services: families experiencing homelessness.~~

Existing law establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care. The program is funded by a combination of federal, state, and county funds, with moneys from the General Fund being continuously appropriated to pay for the state's share of AFDC-FC costs.

Existing law authorizes the State Department of Social Services to conduct a demonstration project in up to 20 counties, to allow flexible use of federal and state foster care funds by utilizing a federal capped allocation model over a 5-year period, based on the terms and conditions of the federal Title IV-E waiver.

Existing law provides for child welfare services, which are public social services directed toward, among other purposes, protecting and promoting the welfare of all children, including those in foster care placement.

This bill would require the department, subject to federal approval, to include innovative, evidence-based strategies in the federal Title IV-E waiver capped allocation demonstration project to achieve supportive housing, rapid rehousing, and permanent housing, as described, for families that include a child placed in foster care, who are receiving child welfare services, and who are experiencing homelessness. The bill would also provide that the continuous appropriation for the state's share of the AFDC-FC costs would not be made for purposes of implementing the bill.

~~Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program under which each county provides cash assistance and other benefits to qualified low-income families using a combination of state, county, and federal funds. Under existing law, after a family has used all available liquid resources in excess of \$100, the family is entitled to receive a CalWORKs allowance for nonrecurring special needs, including homeless assistance.~~

~~Under existing law, the State Department of Social Services and county welfare departments maintain a system of child welfare services to serve the needs of children who are alleged to be abused or neglected, to reduce the necessity for removing these children from their homes, to encourage speedy reunification of families when it can be safely accomplished, and to locate permanent homes and families for children who cannot return to their biological families, among other things.~~

~~This bill would establish the Housing Program for Homeless Families Receiving Child Welfare Services, under which the State Department of Social Services would provide a 4-year grant to a participating county to enable the county to provide specified housing services and related financial assistance to homeless, or recently homeless, families that receive child welfare services and meet other eligibility criteria. The bill would require, among other things, a participating county to fund 50% of the cost of the services delivered under the program, as provided.~~

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. The Legislature finds and declares all of the
2 following:

3 (a) A correlation exists between family homelessness and foster
4 care placement. Though homelessness alone is not a basis for
5 removing a child from a home, almost one-half of children in foster
6 care have birth parents with a history of homelessness. Foster
7 children with homeless birth parents are less likely to live with
8 relative caregivers than children of families with stable housing,
9 and these children remain separated from their families for longer
10 than children of families with stable housing.

11 (b) Homelessness and housing instability interfere with the
12 reunification of children in foster care with birth families. As many
13 as 30 percent of children in foster care who cannot be reunited
14 with birth families could be reunited if the family were able to
15 access a safe place to live.

16 (c) Like children of homeless families, children involved with
17 a child welfare system experience elevated school dropout rates,
18 learning difficulties, worsening mental health conditions, and high
19 levels of aggravation.

20 (d) A study of child-welfare-involved families experiencing
21 long-term homelessness with at least one parent with a substance
22 use disorder showed supportive housing allowed the majority of
23 families' child welfare cases to be resolved by reuniting families
24 within 10 months. The study showed supportive housing reduced
25 actual and potential use of foster care services by an average of
26 187 days.

27 (e) Studies have shown that providing low-cost short- and
28 medium-term housing and services interventions, known as "rapid
29 rehousing services," to families experiencing brief episodes of
30 homelessness results in housing stability, with families becoming
31 4.7 times less likely to return to homelessness than shelter
32 interventions.

33 (f) A child's experience with foster care perpetuates a cycle of
34 homelessness. Data shows that 25 percent of children placed in
35 foster care become homeless within four years of aging out.

36 (g) Jurisdictions are using evidence-based strategies to
37 implement federal demonstration waivers that grant states
38 flexibility in the use of federal foster care payment funds. These

1 waivers allow child welfare agencies to use alternative services
2 and supports that promote safety, permanency, and well-being for
3 children.

4 (h) It is the intent of the Legislature to promote the use of
5 innovative, evidence-based models to assess the housing needs of
6 families who are receiving child welfare services and who are
7 experiencing homelessness, and to ~~fund~~ *coordinate and access*
8 *resources available for* rapid rehousing, supportive housing, and
9 services that promote housing stability, with the goals of preventing
10 foster care placement and reuniting children in foster care with
11 their birth parents.

12 ~~SEC. 2. Article 5.5 (commencing with Section 11420) is added~~
13 ~~to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions~~
14 ~~Code, to read:~~

15
16 ~~Article 5.5. Housing Program for Homeless Families Receiving~~
17 ~~Child Welfare Services~~
18

19 ~~11420. For purposes of this article, the following terms shall~~
20 ~~have the following meanings:~~

21 ~~(a) (1) "Eligible family" means a family that meets all of the~~
22 ~~following criteria:~~

23 ~~(A) Receives child welfare services, as defined in Section 16501,~~
24 ~~which include, but are not limited to, child maltreatment~~
25 ~~investigations, emergency response services, family preservation~~
26 ~~services, family maintenance services, out-of-home placements,~~
27 ~~family reunification services, and the identification of children to~~
28 ~~be placed in suitable relative adoptive homes.~~

29 ~~(B) Is homeless or has been homeless within the past 12 months.~~

30 ~~(C) Voluntarily agrees to participate in the program.~~

31 ~~(D) Meets any additional criteria adopted by the county.~~

32 ~~(2) "Eligible family" does not include a family for whom family~~
33 ~~reunification services have been denied or terminated.~~

34 ~~(b) "Department" means the State Department of Social~~
35 ~~Services.~~

36 ~~(c) "Homeless" has the same meaning as defined in Section~~
37 ~~91.5 of Title 24 of the Code of Federal Regulations, as it read on~~
38 ~~January 1, 2014.~~

1 ~~(d) “Permanent housing” means housing without a limit on~~
2 ~~length of stay that meets the habitability requirements contained~~
3 ~~in Section 1941.1 of the Civil Code.~~

4 ~~(e) “Rapid rehousing” means assistance to allow individuals~~
5 ~~and families experiencing homelessness to be quickly stabilized~~
6 ~~and housed in permanent housing affordable to the individual or~~
7 ~~family, and includes, but is not limited to, the services identified~~
8 ~~in Section 11422.~~

9 ~~(f) “Supportive housing” has the same meaning as defined in~~
10 ~~paragraph (2) of subdivision (b) of Section 50675.14 of the Health~~
11 ~~and Safety Code, but is not restricted to projects with five or more~~
12 ~~units.~~

13 ~~11421. (a) The department shall design the Housing Program~~
14 ~~for Homeless Families Receiving Child Welfare Services, which~~
15 ~~shall do both of the following:~~

16 ~~(1) Upon appropriation by the Legislature, provide a four-year~~
17 ~~grant to any county that meets the requirements of Section 11424,~~
18 ~~to enable the county to provide the services and financial assistance~~
19 ~~described in Section 11422.~~

20 ~~(2) Promote participation in, and educate county officers and~~
21 ~~employees regarding, the program.~~

22 ~~(b) The department shall, using a third-party evaluator, collect~~
23 ~~data and evaluate the effect of the program, including all of the~~
24 ~~following:~~

25 ~~(1) How many families the program served.~~

26 ~~(2) The services provided to each family.~~

27 ~~(3) The median and mean costs per family expended by each~~
28 ~~county.~~

29 ~~(4) The status of each participating family’s child welfare case~~
30 ~~upon entering the program, after six months in the program, after~~
31 ~~one year in the program, and, if applicable, after two years in the~~
32 ~~program, as well as the length of time to resolve a participating~~
33 ~~family’s case as compared with other families’ cases in each~~
34 ~~participating county.~~

35 ~~(5) The incidence of recidivism into the child welfare system~~
36 ~~among participating families, as compared to the incidence of~~
37 ~~recidivism among other families involved in the child welfare~~
38 ~~system in the participating county, over a specified period of time.~~

39 ~~(6) The current housing status of each participating family.~~

- 1 ~~(7) Other relevant outcomes, such as school performance and~~
2 ~~change in income status.~~
- 3 ~~(e) The department shall provide opportunities for public~~
4 ~~comment and input from the counties during the design process.~~
- 5 ~~(d) Subject to federal approval, the department shall include the~~
6 ~~services identified in Section 11422 as part of a Title IV-E waiver~~
7 ~~demonstration project.~~
- 8 ~~11422. A county that opts to participate in the program shall~~
9 ~~provide all of the following services to an eligible family:~~
- 10 ~~(a) An assessment of the family's housing needs and the~~
11 ~~development of a plan to meet those needs.~~
- 12 ~~(b) The engagement of housing navigators to help families locate~~
13 ~~safe, affordable housing with private or nonprofit landlords.~~
- 14 ~~(c) If appropriate based on the assessment of the family's~~
15 ~~housing needs, the provision of rapid rehousing assistance,~~
16 ~~including, but not limited to, all of the following:~~
- 17 ~~(1) Short-term or medium-term rental assistance.~~
18 ~~(2) Housing relocation services.~~
19 ~~(3) Housing mediation services, such as credit counseling.~~
20 ~~(4) Security deposits, utility deposits, or other move-in cost~~
21 ~~assistance.~~
- 22 ~~(5) Utility payments.~~
23 ~~(6) Moving cost assistance.~~
24 ~~(7) Case management to promote housing stability.~~
- 25 ~~(d) If appropriate based on the assessment of the family's~~
26 ~~housing needs, the provision of supportive housing assistance,~~
27 ~~including, but not limited to, all of the following:~~
- 28 ~~(1) Long-term rental assistance.~~
29 ~~(2) Housing relocation services.~~
30 ~~(3) Security deposits, utility deposits, or other move-in cost~~
31 ~~assistance.~~
- 32 ~~(4) Interim housing assistance, if the family and child welfare~~
33 ~~agency are working toward permanent housing placement.~~
- 34 ~~(5) Case management and other services that promote housing~~
35 ~~stability.~~
- 36 ~~11423. Rental assistance provided under the program shall be~~
37 ~~used only for housing that meets all of the following criteria:~~
- 38 ~~(a) Is permanent as defined in Section 11420, unless interim~~
39 ~~housing assistance is provided while a family is awaiting placement~~
40 ~~in permanent housing.~~

1 ~~(b) Offers all of the landlord-tenant protections included in the~~
2 ~~Civil Code.~~

3 ~~(e) Provides rental agreements between landlords and tenants.~~
4 ~~11424. A county shall be eligible for state funds under this~~
5 ~~program, upon application to the department, if the county meets~~
6 ~~both of the following criteria:~~

7 ~~(a) The county funds 50 percent of the costs of the services~~
8 ~~identified in Section 11422 from one of the following sources:~~

9 ~~(1) Foster care payment funds, if the county is participating in~~
10 ~~the federal Title IV-E waiver capped allocation demonstration~~
11 ~~project pursuant to Section 18260.~~

12 ~~(2) A commitment of federal, state, or local housing subsidies~~
13 ~~administered by a public housing authority to meet participating~~
14 ~~families' rental assistance needs.~~

15 ~~(3) A commitment of rental assistance through partnership with~~
16 ~~a community-based permanent housing provider that agrees to~~
17 ~~limit participating families' rent to one-third of each family's~~
18 ~~income.~~

19 ~~(b) The county demonstrates need and the capacity to administer~~
20 ~~the grants.~~

21 *SEC. 2. Section 18262 is added to the Welfare and Institutions*
22 *Code, to read:*

23 *18262. The department, subject to federal approval, shall*
24 *include innovative, evidence-based strategies in the federal Title*
25 *IV-E waiver capped allocation demonstration project pursuant to*
26 *Section 18260 to assist families that include a child placed in foster*
27 *care, who are receiving child welfare services, and who are*
28 *experiencing homelessness to achieve the following:*

29 *(a) Supportive housing, including housing with no limit on*
30 *length of stay, that is occupied by the target population, and that*
31 *is linked to onsite or offsite services that assist the supportive*
32 *housing resident in retaining the housing, improving his or her*
33 *health status, and maximizing his or her ability to live and, when*
34 *possible, work in the community.*

35 *(b) Rapid rehousing, including assistance that enables an*
36 *individual or family experiencing homelessness to be quickly*
37 *stabilized and housed in permanent housing affordable to the*
38 *individual or family.*

1 (c) *Permanent housing, including housing without a limit on*
2 *the length of stay that meets the affirmative standard*
3 *characteristics of Section 1941.1 of the Civil Code.*

4 *SEC. 3. No appropriation pursuant to Section 15200 of the*
5 *Welfare and Institutions Code shall be made for purposes of*
6 *implementing this act.*

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