

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 919**

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**Introduced by Assembly Member Dababneh**

February 26, 2015

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An act to amend Section 13753 of the Welfare and Institutions Code, relating to foster youth.

LEGISLATIVE COUNSEL'S DIGEST

AB 919, as amended, Dababneh. Foster youth: ~~permanency~~. *social security insurance*.

Existing law provides for the out-of-home placement, including foster care placement, of children who are unable to remain in the custody and care of their parents. ~~Existing law requires the juvenile court to hold a permanency hearing no later than 12 months after a child has entered foster care to determine the permanent plan for the child. Existing law authorizes the juvenile court to order one of several permanent plans, including an order that the child be placed in long-term foster care, subject to periodic review.~~ *Existing law, the federal Social Security Act, provides for benefits for eligible beneficiaries, including survivorship and disability benefits and supplemental security income (SSI) benefits for, among others, blind and disabled children. Existing law also provides for state supplemental payments (SSP) to supplement SSI benefits. Existing law requires the county to provide specified information relating to SSI payments to a foster youth receiving those benefits when he or she is approaching his or her 18th birthday.*

This bill would ~~state the intent of the Legislature to enact legislation that improves permanency outcomes and stability for older children in foster care by, among other things, providing resources and incentives~~

to counties to improve permanency outcomes for older children and youth in foster care. *instead require the county to provide that information to the youth when he or she is approaching his or her 17th birthday. By increasing duties on counties, this bill would impose 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.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

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

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

1     SECTION 1. Section 13753 of the Welfare and Institutions  
2     Code is amended to read:  
3     13753. When a foster youth who is receiving SSI payments is  
4     approaching his or her ~~18th~~ 17th birthday, the county shall do all  
5     of the following:  
6     (a) Provide information to the youth regarding the federal  
7     requirement that the youth establish continuing disability as an  
8     adult, if necessary, in order for SSI benefits to continue beyond  
9     his or her 18th birthday.  
10    (b) Provide information to the youth regarding the process for  
11    becoming his or her own payee, or designating an appropriate  
12    representative payee if benefits continue beyond his or her 18th  
13    birthday, and regarding any SSI benefits that have accumulated  
14    on his or her behalf.  
15    (c) Assist the youth, as appropriate, in fulfilling the requirements  
16    of subdivisions (a) and (b).  
17    SEC. 2. *To the extent that this act has an overall effect of*  
18    *increasing the costs already borne by a local agency for programs*  
19    *or levels of service mandated by the 2011 Realignment Legislation*  
20    *within the meaning of Section 36 of Article XIII of the California*  
21    *Constitution, it shall apply to local agencies only to the extent that*  
22    *the state provides annual funding for the cost increase. Any new*  
23    *program or higher level of service provided by a local agency*  
24    *pursuant to this act above the level for which funding has been*

1 *provided shall not require a subvention of funds by the state nor*  
2 *otherwise be subject to Section 6 of Article XIII B of the California*  
3 *Constitution.*

4 SECTION 1. (a) ~~The Legislature finds and declares all of the~~  
5 ~~following:~~

6 (1) ~~As of September 30, 2014, there were 62,545 California~~  
7 ~~children living in the foster care system, with 16,561 children, or~~  
8 ~~approximately 26 percent, in foster care for over three years, and~~  
9 ~~9,780 children, or approximately 16 percent, in care for over five~~  
10 ~~years. Adult outcomes are often poor for the children who remain~~  
11 ~~in foster care long term. Within two years of exiting the foster care~~  
12 ~~system, approximately 50 percent will be homeless, in prison,~~  
13 ~~victimized, or dead.~~

14 (2) ~~Families committing to adoption or guardianship of children~~  
15 ~~in foster care may face challenges unique to the adoption or~~  
16 ~~guardianship experience that result from the trauma of the child's~~  
17 ~~adverse childhood experiences. These challenges can create stress~~  
18 ~~that puts the adoption or guardianship at risk of disruption and~~  
19 ~~potentially result in the child's reentry into the foster care system.~~

20 (3) ~~Provisions of the federal Preventing Sex Trafficking and~~  
21 ~~Strengthening Families Act (Public Law 133-183) address the need~~  
22 ~~to enhance efforts to improve permanency outcomes for older~~  
23 ~~children in care by eliminating the use of other planned permanent~~  
24 ~~living arrangements as a permanent plan for children under 16~~  
25 ~~years of age.~~

26 (4) ~~The new federal law also requires documentation of intensive~~  
27 ~~and ongoing efforts to achieve permanency for youth with a case~~  
28 ~~plan for another planned permanent living arrangement, and adds~~  
29 ~~additional case plan and case plan review system requirements for~~  
30 ~~children 16 years of age and older.~~

31 (b) ~~It is the intent of the Legislature to enact legislation that~~  
32 ~~improves permanency outcomes and stability for older children in~~  
33 ~~foster care and brings California into compliance with provisions~~  
34 ~~of the Federal Preventing Sex Trafficking and Strengthening~~  
35 ~~Families Act by doing all of the following:~~

36 (1) ~~Providing resources and incentives to counties to improve~~  
37 ~~permanency outcomes for older children and youth in foster care~~  
38 ~~by updating current California law to require that any federal~~  
39 ~~adoption incentives received be used for that purpose.~~

1     ~~(2) Improving the stability of adoptive and guardianship families~~  
2     ~~by requiring the State Department of Social Services, county~~  
3     ~~adoption agencies, county child welfare agencies, and licensed~~  
4     ~~adoption agencies to provide potential adoptive families and~~  
5     ~~guardians information, in writing, regarding the importance of~~  
6     ~~working with mental health providers that have specialized~~  
7     ~~adoption or permanency clinical training and experience if the~~  
8     ~~family needs clinical support and the desirable clinical expertise~~  
9     ~~the family should look for when choosing an adoption or~~  
10    ~~permanency-competent mental health professional.~~

11    ~~(3) Improving permanency outcomes for children in foster care~~  
12    ~~by doing all of the following:~~

13    ~~(A) Requiring child-centered specialized permanency services~~  
14    ~~prior to deeming a child “unlikely to be adopted,” “not a proper~~  
15    ~~subject for adoption,” or “having no one willing to take legal~~  
16    ~~guardianship,” and prior to, and after, making a permanency plan~~  
17    ~~for another planned permanent living arrangement or ordering a~~  
18    ~~child into long-term foster care.~~

19    ~~(B) Eliminating the use of another planned permanent living~~  
20    ~~arrangement as a permanency plan for children under 16 years of~~  
21    ~~age.~~

22    ~~(C) Adding “placement with a fit and willing relative” as a~~  
23    ~~permanency planning option.~~