

**ASSEMBLY BILL**

**No. 2597**

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**Introduced by Assembly Member Cooley**

February 19, 2016

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An act to amend Section 1517 of the Health and Safety Code, relating to foster care.

LEGISLATIVE COUNSEL'S DIGEST

AB 2597, as introduced, Cooley. Resource family approval.

Existing law provides for the early implementation, by counties and foster family agencies, of the resource family approval process, which is a unified, family friendly, and child-centered approval process that replaces the multiple processes for licensing foster family homes, approving relatives and nonrelative extended family members as foster care providers, and approving adoptive families. Existing law requires the State Department of Social Services to implement the resource family approval process in all counties and with all foster family agencies by January 1, 2017.

This bill would make technical, nonsubstantive changes to those provisions.

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

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

1 SECTION 1. Section 1517 of the Health and Safety Code is  
2 amended to read:  
3 1517. (a) (1) Pursuant to subdivision (a) of Section 16519.5  
4 of the Welfare and Institutions Code, the State Department of

1 Social Services, shall implement a unified, family friendly, and  
2 child-centered resource family approval process to replace the  
3 existing multiple processes for licensing foster family homes,  
4 approving relatives and nonrelative extended family members as  
5 foster care providers, and approving adoptive families.

6 (2) For purposes of this section, a “resource family” means an  
7 individual or couple that has successfully met both the home  
8 environment assessment and the permanency assessment criteria,  
9 as set forth in Section 16519.5 of the Welfare and Institutions  
10 Code, necessary for providing care for a related or unrelated child  
11 who is under the jurisdiction of the juvenile court, or otherwise in  
12 the care of a county child welfare agency or probation department.

13 (b) A foster family agency that is selected and authorized to  
14 participate in early implementation of the resource family approval  
15 program, pursuant to subdivision (t) of Section 16519.5 of the  
16 Welfare and Institutions Code, shall comply with the provisions  
17 of this section.

18 (1) Notwithstanding any other law, the foster family agency  
19 shall require its applicants and resource families to meet the  
20 resource family approval standards set forth in Section 16519.5  
21 of the Welfare and Institutions Code, the written directives adopted  
22 thereto, and other applicable laws prior to approval and in order  
23 to maintain approval.

24 (2) The foster family agency shall be responsible for all of the  
25 following:

26 (A) Complying with the applicable provisions of this chapter,  
27 the regulations for foster family agencies, the resource family  
28 approval standards and requirements set forth in Section 16519.5  
29 of the Welfare and Institutions Code, and the applicable written  
30 directives adopted thereto as directed by the department.

31 (B) Implementing the requirements for the resource family  
32 approval and utilizing standardized documentation established by  
33 the department.

34 (C) Ensuring staff have the education and experience necessary  
35 to complete the home environment and psychosocial assessments  
36 competently.

37 (D) Taking the following actions, as applicable:

38 (i) Approving or denying resource family applications.

39 (ii) Rescinding approvals of resource families.

1 (E) Providing to the department a log of resource families that  
2 were approved or rescinded during the month by the 10th day of  
3 the following month. For purposes of subdivision (d) of Section  
4 1536, a certified family home includes a resource family approved  
5 by the foster family agency pursuant to this section.

6 (F) Updating resource family approval annually.

7 (G) Monitoring resource families through all of the following:

8 (i) Ensuring that social workers who identify a condition in the  
9 home that may not meet the resource family approval standards  
10 while in the course of a routine visit to children subsequently  
11 placed with a resource family take appropriate action as needed.

12 (ii) Requiring resource families to comply with corrective action  
13 ~~plans as necessary~~ *plans, as necessary*, to correct identified  
14 deficiencies. If corrective action is not completed as specified in  
15 the plan, the foster family agency or the department may rescind  
16 the approval of the resource family in accordance with the written  
17 directives adopted pursuant to Section 16519.5 of the Welfare and  
18 Institutions Code.

19 (iii) Requiring resource families to report to the foster family  
20 agency any incidents as specified in the written directives adopted  
21 pursuant to Section 16519.5 of the Welfare and Institutions Code.

22 (H) Performing corrective action as required by the department.

23 (I) Submitting information and data that the department  
24 determines is necessary to study, monitor, and prepare the report  
25 specified in paragraph (9) of subdivision (f) of Section 16519.5 of  
26 the Welfare and Institutions Code.

27 (J) Ensuring resource family applicants and resource families  
28 meet the training requirements set forth in paragraphs (12) to (14),  
29 inclusive, of subdivisions (g) and (h) of Section 16519.5 of the  
30 Welfare and Institutions Code.

31 (c) In addition to subdivision (f) of Section 16519.5 of the  
32 Welfare and Institutions Code, the State Department of Social  
33 Services shall be responsible for all of the following:

34 (1) Investigating all complaints against a resource family  
35 approved by a foster family agency and taking any action it deems  
36 necessary. This shall include investigating ~~any~~ incidents reported  
37 about a resource family indicating that the approval standard is  
38 not being maintained. Complaint investigations shall be conducted  
39 in accordance with the written directives adopted pursuant to  
40 Section 16519.5 of the Welfare and Institutions Code.

1 (2) Rescinding approvals of a resource family approved by a  
2 foster family agency.

3 (3) Excluding a resource family parent or other individual from  
4 presence in a resource family home or licensed community care  
5 facility, from being a member of the board of directors, an  
6 executive director, or an officer of a licensed community care  
7 facility, or prohibiting a licensed community care facility from  
8 employing the resource family parent or other individual, if  
9 appropriate.

10 (4) Issuing a temporary suspension order that suspends the  
11 resource family approval prior to a hearing, when urgent action is  
12 needed to protect a child or nonminor dependent from physical or  
13 mental abuse, abandonment, or any other substantial threat to  
14 health or safety.

15 (d) The department may enter and inspect the home of a resource  
16 family approved by a foster family agency to secure compliance  
17 with the resource family approval standards, investigate a  
18 complaint or incident, or ensure the quality of care provided.

19 (e) Nothing in this section or Section 16519.5 of the Welfare  
20 and Institutions Code limits the authority of the department to  
21 inspect, evaluate, investigate a complaint or incident, or initiate a  
22 disciplinary action against a foster family agency pursuant to this  
23 chapter or to take any action it may deem necessary for the health  
24 and safety of children placed with the foster family agency.

25 (f) For purposes of paragraph (3) of subdivision (b) of Section  
26 1523.1, a certified family home includes a resource family  
27 approved by a foster family agency pursuant to this section.

28 (g) (1) On and after January 1, 2017, all licensed foster family  
29 agencies shall approve resource families in lieu of certifying foster  
30 homes. A foster family agency shall require its applicants and  
31 resource families to meet the resource family approval standards  
32 and requirements set forth in Section 16519.5 of the Welfare and  
33 Institutions Code, the written directives adopted thereto, and other  
34 applicable laws prior to approval and in order to maintain approval.

35 (2) No later than July 1, 2017, each foster family agency shall  
36 provide the following information to all certified family homes:

37 (A) A detailed description of the resource family approval  
38 program.

39 (B) Notification that, in order to care for a foster child, resource  
40 family approval is required by December 31, 2019.

1 (C) Notification that a certificate of approval shall be forfeited  
2 by operation of law as provided for in paragraph (5).

3 (3) By no later than January 1, 2018, *both of* the following shall  
4 apply to all certified family homes:

5 (A) A certified family home with an approved adoptive home  
6 study, completed prior to January 1, 2018, shall be deemed to be  
7 an approved resource family.

8 (B) A certified family home that had a child in placement for  
9 any length of time, between January 1, 2017, and December 31,  
10 2017, inclusive, may be approved as a resource family on the date  
11 of successful completion of a psychosocial assessment pursuant  
12 to subparagraph (B) of paragraph (2) of subdivision (d) of Section  
13 16519.5 of the Welfare and Institutions Code.

14 (4) A foster family agency may provide supportive services to  
15 all certified family homes with a child in placement to assist with  
16 the resource family transition and to minimize placement  
17 disruptions.

18 (5) All certificates of approval shall be forfeited by operation  
19 of law on December 31, 2019, except as provided in this paragraph:

20 (A) A certified family home that did not have a child in  
21 placement for any length of time between January 1, 2017, and  
22 December 31, 2017, inclusive, shall forfeit by operation of law its  
23 certificate of approval on January 1, 2018.

24 (B) For a certified family home with a pending resource family  
25 application on December 31, 2019, the certificate of approval shall  
26 be forfeited by operation of law on the date of approval as a  
27 resource family. If approval is denied, forfeiture by operation of  
28 law shall occur on the date of completion of any proceedings  
29 required by law to ensure due process.

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