

AMENDED IN ASSEMBLY MAY 8, 1995
AMENDED IN ASSEMBLY APRIL 26, 1995
AMENDED IN ASSEMBLY APRIL 18, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 1127

Introduced by Assembly Member Friedman

February 23, 1995

An act to amend Sections 16506, 16507.3, and 16507.6 of, and to add Section 16521.5 to, the Welfare and Institutions Code, relating to foster youth.

LEGISLATIVE COUNSEL'S DIGEST

AB 1127, as amended, Friedman. Foster youth.

Existing law requires that counties provide, or arrange for the provision of, family maintenance services in order to maintain the child in his or her own home, for a period not to exceed 6 months.

This bill would impose a state-mandated local program by requiring counties to provide those family maintenance services for a period not to exceed 12 months *for those families eligible for crisis resolution services under the federal aid to Families with Dependent Children Program*.

The bill would make additional conforming changes.

Existing law imposes various obligations upon foster care providers.

This bill would require foster care providers of adolescents in long-term foster care to ensure that these children receive age-appropriate pregnancy prevention information.

The bill would also make foster care providers responsible for ensuring that these individuals receive referrals to family planning and counseling services when a foster child reaches the age of 18 or is emancipated, whichever occurs first.

The bill would also require the State Department of Social Services and the State Department of Health Services to jointly convene a working group, to include specific representatives, for the purposes of developing a specified prevention plan.

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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. Section 16506 of the Welfare and
 2 Institutions Code is amended to read:
 3 16506. Family maintenance services shall be provided
 4 or arranged for by county welfare department staff in
 5 order to maintain the child in his or her own home. These
 6 services shall be limited to ~~12 months~~ *6 months, or for 12*
 7 *months for families eligible for crisis resolution services*
 8 *under the federal aid to Families with Dependent*
 9 *Children Program under Part A (commencing with*
 10 *Section 601) of Subchapter 4 of Chapter 7 of Title 42 of the*
 11 *United States Code.* Family maintenance services shall be



1 available without regard to income and shall only be
2 provided to any of the following:

3 (a) Families whose child has been adjudicated a
4 dependent of the court under Section 300, and where the
5 court has ordered the county welfare department to
6 supervise while the child remains in the child's home.

7 (b) Families whose child is in potential danger of
8 abuse, neglect, or exploitation, who are willing to accept
9 services and participate in corrective efforts, and where
10 it is safe for the child to remain in the child's home only
11 with the provision of services.

12 (c) Families in which the child is in the care of a
13 previously noncustodial parent, under the supervision of
14 the juvenile court.

15 SEC. 2. Section 16507.3 of the Welfare and Institutions
16 Code is amended to read:

17 16507.3. (a) Child welfare services for children
18 placed voluntarily shall be limited to a period not to
19 exceed 12 months.

20 (b) (1) Whenever a seriously emotionally disturbed
21 child as described in paragraph (2) is initially voluntarily
22 placed, the initial placement shall be made pursuant to
23 the approval of an interagency administrative review
24 board as may be required in federal regulations. One
25 member of the board shall be a licensed mental health
26 practitioner. The review board shall review the
27 appropriateness and necessity of voluntary placement,
28 the extent of the compliance with the voluntary
29 placement plan, and the adequacy of services to the
30 family and child.

31 (2) For purposes of this subdivision, "seriously
32 emotionally disturbed child" means a minor child who is
33 seriously emotionally disturbed, who requires placement
34 in a residential treatment facility, who otherwise would
35 be likely to be found to fit the description in subdivision
36 (c) of Section 300, and who reasonably may be expected
37 to be returned home within the time period.

38 (c) An otherwise eligible child placed voluntarily
39 prior to January 1, 1982, may remain eligible for child
40 welfare services without regard to the length of time in



1 placement until April 1, 1984. Beginning on October 1,
2 1982, such a child shall receive administrative review
3 pursuant to the requirements of Section 16503.

4 SEC. 3. Section 16507.6 of the Welfare and Institutions
5 Code is amended to read:

6 16507.6. (a) If a minor has been voluntarily placed
7 with the county welfare department for out-of-home
8 placement by his or her parents or guardians pursuant to
9 this chapter and the minor has remained out of their
10 physical custody for 12 consecutive months, the
11 department shall do one of the following:

12 (1) Return the minor to the physical custody of his or
13 her parents or guardians.

14 (2) Refer the minor to a licensed adoption agency for
15 consideration of adoptive planning and receipt of a
16 permanent relinquishment of care and custody rights
17 from the parents pursuant to Section 8700 of the Family
18 Code.

19 (3) Apply for a petition pursuant to Section 332 and file
20 the petition with the juvenile court to have the minor
21 declared a dependent child of the court under Section
22 300.

23 (b) If the minor cannot be returned home by the 12th
24 month of voluntary placement services, the department
25 shall proceed as described in paragraph (1) or (2)
26 subdivision (a).

27 (c) *The family maintenance services provided*
28 *pursuant to Section 16506 shall be limited to 6 months, or*
29 *to 12 months for families eligible for crisis resolution*
30 *services under the federal aid to Families with*
31 *Dependent Children Program under Part A*
32 *(commencing with Section 601) of Subchapter 4 of*
33 *Chapter 7 of Title 42 of the United States Code.*

34 SEC. 4. Section 16521.5 is added to the Welfare and
35 Institutions Code, to read:

36 16521.5. (a) A foster care provider shall be
37 responsible for ensuring that adolescents who remain in
38 long-term foster care, as defined by the department,
39 receive age-appropriate pregnancy prevention
40 information.



1 (b) A foster care provider shall be responsible for
2 ensuring that a child is provided with appropriate
3 referrals to family planning and counseling services when
4 the child either reaches the age of 18 or is emancipated,
5 whichever occurs first.

6 (c) (1) The department and the State Department of
7 Health Services shall jointly convene a working group for
8 the purpose of developing a pregnancy prevention plan
9 that will effectively address the needs of adolescent male
10 and female foster youth.

11 (2) The working group shall include representatives
12 from the California Youth Connection, the Foster
13 Parent's Association, group home provider associations,
14 the County Welfare Director's Association, providers of
15 teen pregnancy prevention programs, a foster care case
16 worker, and an adolescent health professional.

17 (d) The plan required pursuant to subdivision (c) shall
18 include, but not be limited to, all of the following:

19 (1) Effective strategies and programs for pre-teen and
20 older teen foster youth.

21 (2) The role of foster care and group home care
22 providers.

23 (3) The role of the assigned case management worker.

24 (4) How to involve foster youth peers.

25 (5) How to prepare foster youth for family planning
26 after they leave the foster care system.

27 (e) The department shall adopt regulations to
28 implement this section.

29 SEC. 5. Notwithstanding Section 17610 of the
30 Government Code, if the Commission on State Mandates
31 determines that this act contains costs mandated by the
32 state, reimbursement to local agencies and school
33 districts for those costs shall be made pursuant to Part 7
34 (commencing with Section 17500) of Division 4 of Title
35 2 of the Government Code. If the statewide cost of the
36 claim for reimbursement does not exceed one million
37 dollars (\$1,000,000), reimbursement shall be made from
38 the State Mandates Claims Fund.

39 Notwithstanding Section 17580 of the Government
40 Code, unless otherwise specified, the provisions of this act



1 shall become operative on the same date that the act
2 takes effect pursuant to the California Constitution.

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