

AMENDED IN ASSEMBLY MAY 15, 1997

AMENDED IN ASSEMBLY MAY 1, 1997

AMENDED IN ASSEMBLY APRIL 28, 1997

AMENDED IN ASSEMBLY APRIL 9, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 317

Introduced by Assembly Member Ortiz

February 14, 1997

An act to amend Section 11465.5 of the Welfare and Institutions Code, relating to human services.

LEGISLATIVE COUNSEL'S DIGEST

AB 317, as amended, Ortiz. Foster care.

Existing law provides for the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which payments are made on behalf of low-income children placed in foster care, including certain qualified placements with relatives. Existing law also provides for the Aid to Families with Dependent Children (AFDC) program, under which each county provides cash assistance and other benefits to qualified low-income families. Payment rates under this program are lower than that provided for under the AFDC-FC program.

Existing law requires the State Department of Social Services, if federal approval is obtained, and if counties agree to participate, to establish 5-year pilot projects in 5 specified

counties. The projects involve only specified dependents of the court who are placed with relatives and who are receiving federal AFDC-FC payments.

This bill would include Sacramento County and other counties that submit a plan and secure department approval among the counties that may agree to participate. *This bill would provide that the pilot project shall be deemed a success if at least 75% of the children participating achieve permanent placement.*

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. Section 11465.5 of the Welfare and
2 Institutions Code is amended to read:

3 11465.5. (a) The department shall conduct five-year
4 pilot projects in Alameda County, Contra Costa County,
5 Sacramento County, Solano County, Tulare County, and
6 Yuba County, at the option of each county, and any
7 additional counties that submit a plan and secure
8 approval by the department in accordance with objective
9 selection criteria that shall be established by the
10 department and any evaluation contractor utilized under
11 subdivision (e). The department shall not be required to
12 conduct any pilot projects under this section if no county
13 elects to participate.

14 (b) The Legislature finds and declares that this
15 program will enhance family preservation and stability
16 by recognizing that many children are in long-term,
17 stable placements with relatives, that these placements
18 are the permanent plan for the child, that dependencies
19 can be dismissed pursuant to Section 388 with custody or
20 guardianship to the relative caretaker, and that there is
21 no need for continued government intervention in the
22 family life through ongoing, scheduled court and social
23 services supervision of the placement.

24 (c) Participation by a relative in a pilot project shall be
25 voluntary, and the county shall nominate cases for
26 participation. The county and a relative shall execute a



1 long-term kinship care agreement, to be developed by
2 the department, which specifies the details of this
3 arrangement.

4 (d) Each pilot project shall, at a minimum, ensure all
5 of the following:

6 (1) Only a child who is a dependent of the court, who
7 has been in a stable placement with a relative for not less
8 than one year after the initial permanency planning
9 hearing placing the child with that relative, and who is
10 receiving federal AFDC-FC payments shall be eligible
11 under this section.

12 (2) Each participating child's AFDC-FC and Medi-Cal
13 eligibility is maintained, in order to adequately support
14 the long-term placement.

15 (3) A child participating in a pilot project shall
16 continue to receive the basic foster care payment rate in
17 accordance with Section 11461.

18 (4) The eligible cases shall be dismissed pursuant to
19 Section 388, with custody or guardianship to be given to
20 the relative caretaker.

21 (5) A relative shall have adequate legal protection and
22 consent authority.

23 (e) The department and the pilot counties, or an
24 entity contracting with the department and the pilot
25 counties, shall conduct an evaluation of the pilot projects.
26 The evaluation shall include outcome measures that
27 address the quality of care provided to participating
28 children and the overall cost-effectiveness of the projects
29 for participating counties and the state. *The pilot project*
30 *shall be deemed a success if at least 75 percent of the*
31 *children participating achieve permanent placement*
32 *through either adoption by a relative or legal*
33 *guardianship by a relative.* The results of the evaluation
34 shall be provided to the Legislature and the Governor.

35 (f) Any savings that accrue to the department as a
36 result of this section shall revert to the General Fund.
37 Savings that accrue to a participating county shall,
38 however, accrue to that county's social services
39 subaccount in its local health and welfare trust fund.



1 (g) This section shall become operative only if the
2 director executes a declaration, that shall be retained by
3 the director, stating that the necessary federal approval
4 for implementation of this section has been obtained, and
5 only for the duration of that approval.

O

