

## Assembly Bill No. 317

### CHAPTER 258

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

[Approved by Governor August 9, 1997. Filed with  
Secretary of State August 11, 1997.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 317, 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. Existing law requires the department and the pilot counties or an entity under contract to conduct an evaluation of the pilot projects, to be provided to the Legislature and the Governor.

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. The bill would require the evaluation of the pilot projects to be provided to the Legislature and the Governor 3 years following implementation.

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

SECTION 1. Section 11465.5 of the Welfare and Institutions Code is amended to read:

11465.5. (a) The department shall conduct five-year pilot projects in Alameda County, Contra Costa County, Sacramento County, Solano County, Tulare County, and Yuba County, at the option of each county, and any additional counties that submit a plan and secure approval by the department in accordance with objective



selection criteria that shall be established by the department and any evaluation contractor utilized under subdivision (e). The department shall not be required to conduct any pilot projects under this section if no county elects to participate.

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

(c) Participation by a relative in a pilot project shall be voluntary, and the county shall nominate cases for participation. The county and a relative shall execute a long-term kinship care agreement, to be developed by the department, which specifies the details of this arrangement.

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

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

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

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

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

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

(e) The department and the pilot counties, or an entity contracting with the department and the pilot counties, shall conduct an evaluation of the pilot projects. The evaluation shall include outcome measures that address the quality of care provided to participating children and the overall cost-effectiveness of the projects for participating counties and the state. The pilot project shall be deemed a success if at least 75 percent of the children participating achieve permanent placement through either adoption by a relative or legal guardianship by a relative. The results of the evaluation shall be provided to the Legislature and the Governor three years after the date of implementation of the pilot projects.

(f) Any savings that accrue to the department as a result of this section shall revert to the General Fund. Savings that accrue to a



participating county shall, however, accrue to that county's social services subaccount in its local health and welfare trust fund.

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

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