

ASSEMBLY BILL

No. 2278

Introduced by Assembly Member Aroner

February 24, 2000

An act to add Section 11756.8 to the Health and Safety Code, relating to substance abuse.

LEGISLATIVE COUNSEL'S DIGEST

AB 2278, as introduced, Aroner. Substance abuse: foster care.

Existing law requires the State Department of Alcohol and Drug Programs to perform various functions and duties with respect to the development and implementation of state and local substance abuse treatment programs.

This bill would require the department to give priority in alcohol and drug treatment programs to children or to parents of children who are vulnerable to abuse or who are in foster care, and would require the Children and Family Division of the State Department of Social Services to ensure that alcohol and drug treatment programs are integrated into foster care programs.

The bill would also require the department, in consultation with the Children and Family Division, to submit an assessment to the Legislature by January 1, 2003, on the impact of substance abuse on foster care and efforts to integrate substance abuse treatment into foster care programs.

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. The Legislature finds and declares the
2 following:

3 (a) The State Department of Social Services estimates
4 that up to 80 percent of the children in foster care have
5 parents with substance abuse problems. In its recent
6 report, the Little Hoover Commission referred to
7 testimony from the Director of Mental Health, stating
8 that “the two most common pathways for children
9 entering foster care are through problems from parental
10 alcohol and drugs and abuse and neglect. Children in
11 these families frequently suffer serious emotional and
12 behavioral problems, poor attachment capacity,
13 depression, anxiety, low self-esteem, and diminished
14 ability to concentrate as a result of erratic and abusive
15 parenting.”

16 (b) State substance abuse efforts are administered
17 differently than foster care programs. Drug treatment is
18 administered by the State Department of Alcohol and
19 Drug Programs and managed by counties. County child
20 welfare agencies are charged with managing foster care
21 cases, and in making “reasonable efforts” to reunite
22 children with their parents.

23 (c) Lack of parental substance abuse treatment often
24 complicates the successful and timely reunification of
25 families or delays alternative permanent placement.
26 When treatment is not available, courts often find that
27 “reasonable efforts” have not been made to reunify the
28 family and must put off a permanent decision.

29 SEC. 2. Section 11756.8 is added to the Health and
30 Safety Code, to read:

31 11756.8. (a) The department shall give priority in
32 alcohol and drug treatment programs to children or to
33 parents of children who are vulnerable to abuse or who
34 are in foster care. It is the intent of the Legislature that
35 the department earmark funding to provide these
36 treatment services.

37 (b) The Children and Family Division of the
38 Department of Social Services shall ensure that alcohol



1 and drug treatment programs are integrated into foster
2 care programs.

3 (c) The department, in consultation with the Children
4 and Family Division of the State Department of Social
5 Services, shall submit an assessment to the Legislature by
6 January 1, 2003, on the impact of substance abuse on foster
7 care and efforts to integrate substance abuse treatment
8 into foster care programs.

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