

AMENDED IN SENATE AUGUST 29, 2011

AMENDED IN SENATE JUNE 20, 2011

AMENDED IN ASSEMBLY APRIL 28, 2011

AMENDED IN ASSEMBLY APRIL 14, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1015

Introduced by Assembly Member Charles Calderon

February 18, 2011

An act to amend Section 10601.2 of the Welfare and Institutions Code, relating to social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1015, as amended, Charles Calderon. Child welfare services: California Child and Family Service Review System.

Under existing law, the State Department of Social Services oversees the administration of county public social services, including child welfare services. Existing law requires the department to establish the California Child and Family Service Review System, in order to review all county child welfare systems. Existing law requires the department to report to the Assembly and Senate Budget Committees and appropriate legislative policy committees regarding the department's progress relating to federal and state child and family service reviews.

This bill would, in relation to these reviews, require each county to consult with specified stakeholders in developing the county self-assessments and county improvement plans, or ~~similar reports required by any subsequent changes to the system~~ *any subsequent county self-assessments, as specified*. This bill would also require the county

improvement plans to include a separately titled provision that lists and provides the rationale for proposed operational improvements that may be implemented at a cost savings to the county or within existing resources. By increasing duties of county officials, this bill would impose a state-mandated local program. This bill would also make technical, nonsubstantive changes to these provisions.

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.

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 10601.2 of the Welfare and Institutions
2 Code is amended to read:
3 10601.2. (a) The State Department of Social Services shall
4 establish, by April 1, 2003, the California Child and Family Service
5 Review System, in order to review all county child welfare systems.
6 These reviews shall cover child protective services, foster care,
7 adoption, family preservation, family support, and independent
8 living.
9 (b) Child and family service reviews shall maximize compliance
10 with the federal regulations for the receipt of money from Subtitle
11 E (commencing with Section 470) of Title IV of the federal Social
12 Security Act (42 U.S.C. Sec. 670 et seq.) and ensure compliance
13 with state plan requirements set forth in Subtitle B (commencing
14 with Section 421) of Title IV of the federal Social Security Act
15 (42 U.S.C. Sec. 621 et seq.).
16 (c) (1) (A) By October 1, 2002, the California Health and
17 Human Services Agency shall convene a workgroup comprised
18 of representatives of the Judicial Council, the State Department
19 of Social Services, the State Department of Health Care Services,
20 the State Department of Mental Health, the State Department of
21 Education, the Department of Child Support Services, the
22 Department of Justice, any other state departments or agencies the

California Health and Human Services Agency deems necessary, the County Welfare Directors Association, the California State Association of Counties, the Chief Probation Officers of California, the California Youth Connection, and representatives of California tribes, interested child advocacy organizations, researchers, and foster parent organizations. The workgroup shall establish a workplan by which child and family service reviews shall be conducted pursuant to this section, including a process for qualitative peer reviews of case information.

(B) At a minimum, in establishing the workplan, the workgroup shall consider any existing federal program improvement plans entered into by the state pursuant to federal regulations, the outcome indicators to be measured, compliance thresholds for each indicator, timelines for implementation, county review cycles, uniform processes, procedures and review instruments to be used, a corrective action process, and any funding or staffing increases needed to implement the requirements of this section. The agency shall broadly consider collaboration with all entities to allow the adequate exchange of information and coordination of efforts to improve outcomes for foster youth and families.

(2) In developing the county self-assessments and county improvement plans referenced in this section, ~~or similar reports required by any subsequent changes to the California Child and Family Service Review System~~ *any subsequent county self-assessments pursuant to this section*, each county shall consult with stakeholders, including, but not limited to, county child welfare agencies and probation agency staff at all levels, current and former foster children, children's attorneys, and foster care providers. The county shall consult with at least one county child welfare worker named by the bargaining unit representing children's social workers.

(d) (1) The California Child and Family Service Review System outcome indicators shall be consistent with the federal child and family service review measures and standards for child and family outcomes and system factors authorized by Subtitle B (commencing with Section 421) and Subtitle E (commencing with Section 470) of Title IV of the federal Social Security Act and the regulations adopted pursuant to those provisions (Parts 1355 to 1357, inclusive, of Title 45 of the Code of Federal Regulations).

(2) During the first review cycle pursuant to this section, each county shall be reviewed according to the outcome indicators established for the California Child and Family Service Review System.

(3) For subsequent reviews, the workgroup shall consider whether to establish additional outcome indicators that support the federal outcomes and any program improvement plan, and promote good health, mental health, behavioral, educational, and other relevant outcomes for children and families in California's child welfare services system.

(4) The county improvement plans developed pursuant to this section that are approved by the county board of supervisors shall include a separately titled provision that lists and provides the rationale for proposed operational improvements identified during the stakeholder process described in paragraph (2) of subdivision (c) that may be implemented at a cost savings to the county or within existing county resources.

(e) The State Department of Social Services shall identify and promote the replication of best practices in child welfare service delivery to achieve the measurable outcomes established pursuant to subdivision (d).

(f) Notwithstanding Section 10231.5 of the Government Code, the State Department of Social Services shall provide information to the Assembly Committee on Budget and the Senate Committee on Budget and Fiscal Review and appropriate legislative policy committees annually, beginning with the 2002–03 fiscal year, on all of the following:

(1) The department's progress in planning for the federal child and family service review to be conducted by the United States Department of Health and Human Services and, upon completion of the federal review, the findings of that review, the state's response to the findings, and the details of any program improvement plan entered into by the state.

(2) The department's progress in implementing the California child and family service reviews, including, but not limited to, the timelines for implementation, the process to be used, and any funding or staffing increases needed at the state or local level to implement the requirements of this section.

(3) The findings and recommendations for child welfare system improvements identified in county self-assessments and county

1 system improvement plans, including information on common
2 statutory, regulatory, or fiscal barriers identified as inhibiting
3 system improvements, any recommendations to overcome those
4 barriers, and, as applicable, information regarding the allocation
5 and use of the moneys provided to counties pursuant to subdivision
6 (i).

7 (g) Effective April 1, 2003, the existing county compliance
8 review system shall be suspended to provide to the State
9 Department of Social Services sufficient lead time to provide
10 training and technical assistance to counties for the preparation
11 necessary to transition to the new child and family service review
12 system.

13 (h) Beginning January 1, 2004, the department shall commence
14 individual child and family service reviews of California counties.
15 County child welfare systems that do not meet the established
16 compliance thresholds for the outcome measures that are reviewed
17 shall receive technical assistance from teams made up of state and
18 peer-county administrators to assist with implementing best
19 practices to improve their performance and make progress toward
20 meeting established levels of compliance.

21 (i) (1) To the extent that funds are appropriated in the annual
22 Budget Act to enable counties to implement approaches to
23 improving their performance on the outcome indicators under this
24 section, the department, in consultation with counties, shall
25 establish a process for allocating the funds to counties.

26 (2) The allocation process shall take into account, at a minimum,
27 the extent to which the proposed funding would be used for
28 activities that are reasonably expected to help the county make
29 progress toward the outcome indicators established pursuant to
30 this section, and the extent to which county funding for the Child
31 Abuse, Prevention and Treatment program is aligned with the
32 outcome indicators.

33 (3) To the extent possible, a county shall use funds allocated
34 pursuant to this subdivision in a manner that enables the county
35 to access additional federal, state, and local funds from other
36 available sources. However, a county's ability to receive additional
37 matching funds from these sources shall not be a determining factor
38 in the allocation process established pursuant to this subdivision.

1 (4) The department shall provide information to the appropriate
2 committees of the Legislature on the process established pursuant
3 to this subdivision for allocating funds to counties.

4 SEC. 2. If the Commission on State Mandates determines that
5 this act contains costs mandated by the state, reimbursement to
6 local agencies and school districts for those costs shall be made
7 pursuant to Part 7 (commencing with Section 17500) of Division
8 4 of Title 2 of the Government Code.