State Child Welfare Legislation: 2007–2008

National Conference of State Legislatures

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Introduction

State legislatures are responsible for crafting, funding and overseeing state child welfare systems that serve thousands of children and families throughout the United States. This report is intended to assist legislators and state child welfare agencies in those efforts by highlighting significant child welfare-related legislation enacted during the 2007 and 2008 calendar years.[1]

During 2007 and 2008, state legislatures paid particular attention to enhancing court capacity to serve abused and neglected children, addressing child fatality review, improving state foster care systems, ensuring better educational outcomes for children in foster care, assisting relative caregivers and helping youth transition from foster care.

Brief descriptions of significant state legislation appear below by issue area in alphabetical order. Click on the links under each issue area heading to see more detailed summaries of state child welfare legislation enacted in each of these areas during 2007 and 2008.

Adoption

States worked to support adoptive families and move children more quickly from foster care into adoptive homes. The following are highlights of legislation enacted in 2007 and 2008:

- Florida enacted legislation to support, financially and with an authorization of parental leave, state government employees adopting special-needs children and children in state custody. Florida also re-designated the Office of Child Abuse Prevention as the Office of Adoption and Child Protection and charged the office with developing a statewide approach for promoting adoption and the support of adoptive families (2007).

- Texas required adoption assistance agreement subsidies to be equal to what would have been paid to a child's foster parent for children who otherwise would have been expected to remain in foster care. Legislation also extended group life insurance to adopted grandchildren and waived higher education tuition and fees for students receiving adoption assistance monthly benefits. Texas also provided a subsidy for health benefit premiums for certain adoptive children (2007).

- Georgia provided a $2000-per-child tax credit for the adoption of qualified foster children (2008).

1. The legislation described here reflects emerging issues and key legislative trends related to child welfare. The report also includes new laws that address important issues in the child welfare field or institute substantial changes in child welfare practice or administration. The report is not intended to be an exhaustive compilation of all new state child welfare laws but reflects emerging issues and legislative trends about which the National Conference of State Legislatures (NCSL) receives numerous information requests from legislators and legislative staff throughout the year. Further, inclusion of the enactments herein should not be construed to mean that such laws represent "best practice" or are in accord with federal law.

- Missouri changed adoption subsidy requirements to cover financial assistance for any physical or mental condition of the adopted child and removed income restrictions (2008).

- Eleven other states passed legislation related to adoption in 2007 (Arkansas, California, Colorado, Illinois, Maryland, Minnesota, Mississippi, Montana, New York, North Carolina and Ohio). Five other states passed such legislation in 2008 (Alaska, Connecticut, Hawaii, Tennessee and Utah).

Child Fatality Review

Lawmakers enhanced state child fatality review processes to better understand the risk factors involved in child abuse and neglect deaths, prevent future fatalities and uncover gaps in state systems responsible for child safety and well-being. A number of states also amended their statutes to meet federal requirements to provide the public with information on child fatalities and near fatalities. The following are highlights of legislation enacted in 2007 and 2008 regarding the child fatality review process.

- Illinois required the development of a plan to address practices that threaten child safety, as identified through the Inspector General of the Department of Children and Family Services' investigations of child deaths or serious injuries and through Child Death Review Team recommendations. Legislation also allowed a 3-year pilot project in one region of the state to create a special Child Death Investigation Task Force (2007).

- Nevada required more transparency of information in child fatality and near-fatality cases and authorized the creation of a multidisciplinary team to oversee the child fatality review process (2007).

- Oklahoma authorized the Child Death Review Board and the Domestic Violence Fatality Review Board, and other relevant agencies, to work together to prevent child deaths (2008).

- Pennsylvania created a statewide Public Health Child Death Review Program to coordinate state and local multi-agency, multidisciplinary teams in their examination of child deaths to promote safety and reduce fatalities (2008).

- Three other states passed legislation related to the child fatality review process in 2007 (Maryland, Missouri and Washington). Four other States passed such legislation in 2008 (California, Delaware, Maine and Maryland).

Children of Incarcerated Parents

Lawmakers continue to recognize the need for policies to support children during and after parental incarceration. The following are highlights of legislation enacted in 2007 and 2008 regarding children of incarcerated parents:

- Maryland and West Virginia allowed inmates to participate in programs for mothers and newborn infants (2007).

- New Mexico required law enforcement to establish guidelines for protecting children upon the arrest of a parent (2007).

- Virginia and Washington required the development of integrated systems, services, policies and programs to support the children of incarcerated parents (2007).
- California extended the period for providing family reunification services to children of incarcerated parents in certain cases (2008).

- Hawaii extended the term of the Children of Incarcerated Parents Task Force, mandated that parent inmates be placed at facilities based on the best interest of the family and established guiding principles for state agencies when dealing with children of incarcerated parents (2008).

- Tennessee requested that the Department of Corrections review the National Bill of Rights for Children of the Incarcerated (2008).

Courts and Legal Representation

In 2007 and 2008, lawmakers extensively addressed the important role of the courts in child welfare. They allowed children to be involved in various court hearings and decisions, provided notice of hearings to a range of parties and considered in- and out-of-state placements. The following are highlights of legislation enacted in 2007 and 2008 regarding courts and legal representation:

- Arkansas appropriated funds for indigent parent counsel fees and expenses and protected child victims in court (2007).

- Colorado, Georgia, Illinois, Louisiana, Minnesota, New York and Texas required courts to consult with a minor, in an age-appropriate manner, regarding his or her permanency plan (2007).

- Colorado, Connecticut, Georgia, Louisiana and Washington required courts to provide notice of all hearings to pre-adoptive parents, relatives and/or foster care parents (2007).

- Florida developed guidelines for court orders and oversight of children to ensure their safety from harm during visitation or other contact. Legislation also required the Department of Children and Families to ensure that organizations and agencies working in child welfare enter information into the state's automated case management system (Florida Safe Families Network) so that judges, magistrates and guardians ad litem can access information on children's cases (2007).

- Louisiana required attorneys in child protection proceedings to participate in multidisciplinary meetings with all professionals involved with a child (2008).

- South Carolina created a statewide Guardian ad Litem Program to provide training and supervision to volunteers who serve as court-appointed special advocates for children in abuse and neglect proceedings within the family court (2008).

- Eleven other states and the District of Columbia passed legislation related to court issues in 2007 (Arizona, California, District of Columbia, Hawaii, Indiana, Montana, Nebraska, Nevada, New Hampshire, Oregon and Tennessee). Fifteen other states passed such legislation in 2008 (Arizona, Colorado, Connecticut, Georgia, Iowa, Kansas, Maine, Michigan, Missouri, New York, South Dakota, Tennessee, Utah, Vermont and Washington).

Education

Legislatures continued to work on improving educational outcomes for children in care. The following are highlights of legislation enacted in 2007 and 2008 regarding education:

- Alaska established a higher education savings program for children in care (2007).
- Arkansas established the Human Services Workers in Schools Program to put social workers in schools to promote child safety and family strengthening and to provide a variety of family support services, such as home visits and crisis intervention. Lawmakers also mandated free tuition at state colleges for children who are under the legal guardianship of or who were adopted by prisoners of war, disabled veterans or soldiers killed or missing in action (2007).
- Colorado lawmakers required each school district to appoint a person to act as the child welfare education liaison to work with child placement agencies, county child welfare agencies and the state Department of Human Services to facilitate placement, transfers and enrollment in school for children in out-of-home placements (2008).
- Washington State mandated the superintendent of public instruction to report annually to the legislature on the educational experience of children in care (2008).
- Eleven other states passed legislation related to education in 2007 (Georgia, Indiana, Kansas, Maine, Maryland, Missouri, Nevada, New Hampshire, Oregon, Virginia and Washington). Five other states passed such legislation in 2008 (Hawaii, Indiana, New Hampshire, Oklahoma and Tennessee).

Finance

A number of states addressed child welfare system financing. The following are highlights of legislation enacted in 2007 and 2008 regarding financing:

- California increased foster family home, specialized care and group home rates and permitted counties to supplement the adoption assistance rate for extraordinary care needs (2007).
- Colorado provided instructions for the expenditure of Title IV-E incentive funding and required the Department of Human Services to develop a rate negotiation methodology for county purchase of services. Legislation also created a statewide, coordinated payment system for early intervention services (2007).
- Connecticut allowed the Department of Children and Families or the Department of Administrative Services to collect the cost of care from a child's relative, the child or both through billing and collection of payment from the person in charge of the estate of any child or youth aided under this legislation (2007).
- Idaho required a comprehensive cost-benefit analysis of the potential benefits of paying for a portion of therapeutic foster care and substance abuse treatment from Medicaid rather than from state funds (2007).
- Colorado limited the county contribution for the cost of placing children in residential child care facilities to 10 percent of the placement cost (2008).
- Four other states passed legislation related to financing in 2007 (Illinois, Michigan, Missouri and Texas).

Foster Care

The oversight of state foster care programs is a critical role of legislatures. The following are highlights of legislation enacted in 2007 and 2008 to address foster care issues:

- Arkansas created the Foster Parent Support Act of 2007 to ensure the safety of foster parents' families and to outline their rights and responsibilities. In addition, the legislation established the "Safeguards for Children in Foster Care Act" detailing the rights of foster children (2007).

- California extended its Whole Family Foster Care Program, which provides foster placement for teen parents and their children, to non-relative legal guardians; provided for mental health services for additional categories of children; and required that foster children's county health system enrollment be moved when they move to a new county (2007).

- Colorado established a Task Force on Foster Care and Permanence to identify and recommend solutions to problems in the state's foster care and adoption systems (2007).

- Minnesota required the consideration of permanent alternative homes for children placed inside or outside of the state and required frequent home visits for children placed in out-of-state foster care (2007).

- Nevada restricted institutional placement of foster children, created a Youth Legislative Issues Forum for foster care, required coordination with nonprofits to recruit foster care providers and authorized a study on reducing the number of children placed in foster care (2007).

- Hawaii established guiding principles for the Department of Human Services concerning foster children, including ensuring safety from abuse; adequate food, shelter, clothing, medical, dental, and mental health care; contact with the child's parents and siblings; and life skills training and transition plans (2008).

- Minnesota stated the purpose of the Interstate Compact on the Placement of Children as being to provide a process for placing allegedly abused or neglected children in safe and suitable homes in a timely manner and coordinating with other compacts, such as the compacts on adoption, juveniles and medical assistance. Alaska, Delaware and Indiana also conformed to the newly revised Interstate Compact on the Placement of Children (2008).

- Fourteen other States passed foster care-related legislation in 2007 (Georgia, Iowa, Louisiana, Maine, Maryland, Missouri, Montana, New York, North Dakota, Oregon, Rhode Island, Texas, Virginia and Washington. Sixteen other States passed such legislation in 2008_(Arizona, California, Colorado, Connecticut, Kansas, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, North Carolina, Oklahoma, Tennessee, Utah, Washington and Wisconsin).

Investigations

State policymakers closely examined child protective services investigation policy to protect children from harm. The following are highlights of legislation enacted in 2007 and 2008 regarding investigations:

- Arizona required contact with child protective service (CPS) agencies in other states if appropriate. CPS was also required to provide families with information on their rights during a child abuse investigation (2007).

- Arkansas passed the Arkansas Child Safety Center Act to provide locations for child-friendly, child-focused, multidisciplinary forensic interviews during child sexual abuse and serious physical abuse investigations (2007).

- Minnesota clarified the roles and coordination of local child welfare and local law enforcement agencies investigating allegations of sexual abuse (2007).

- Nevada required the adoption of uniform standards to determine the necessity of immediate CPS action (2007).

- New York approved a differential-response program for CPS investigations (2007). Vermont also established a tiered range of responses (or differential response) to child abuse or neglect that takes into account the different degrees of child abuse or neglect (2008).

- Oregon required the Department of Human Services and law enforcement to jointly determine their roles during CPS investigations (2007).

- Arizona mandated the Department of Child Protective Services to provide training to workers on their duty to protect the legal rights of children and families, including knowledge of a child's rights as a crime victim (2008).

- Maryland required collaboration between child advocacy centers, social services agencies and local law enforcement to protect children from trauma during child abuse and neglect investigations and prosecutions (2008).

- New York mandated the coordination of child protective investigations by multidisciplinary teams (2008).

- Six other States passed legislation related to investigations in 2007 (Illinois, Maine, Texas, Vermont, Virginia and Wyoming). Eight other States and the District of Columbia passed such legislation in 2008 (Alaska, Maine, Michigan, Nebraska, Tennessee, Utah, Vermont, West Virginia and the District of Columbia).

Kinship Care

Legislators gave priority to supporting relative caregivers of children in their states. The following are highlights of legislation enacted in 2007 and 2008 regarding kinship care:

- Arkansas authorized a subsidized guardianship program, contingent on funding and appropriation, which provided a subsidy to caregivers of certain children removed from parental custody (2007).

- California mandated that relatives be informed about permanency options, required reunification services to relatives and authorized relative search in cases of disrupted adoption (2007).

- Connecticut required additional subsidy payments to guardians caring for more than one sibling, under certain circumstances. Lawmakers also increased short-term, unlicensed placement options for children (2007).

- Hawaii extended the term of its Joint Legislative Committee on Family Caregiving (2007).

- Massachusetts created a commission on the status of grandparents raising grandchildren to assess programs and practices in all state agencies related to relative caregivers, to provide advice on the effects of proposed legislation on caregivers and to examine the establishment of a state agency dedicated to grandparents' issues (2008).

- Michigan established the Subsidized Guardianship Assistance Act to permit the Department of Human Services to pay subsidized assistance to court-appointed legal guardians on behalf of eligible children (2008).

- Eight other states passed legislation related to kinship care in 2007 (Idaho, Maine, Mississippi, Montana, Oklahoma, Oregon, Texas and Virginia). Eleven other states passed such legislation in 2008_(Connecticut, Delaware, Georgia, Hawaii, Louisiana, Maryland, Mississippi, Ohio, South Dakota, Utah and Virginia).

Oversight/Administration

State legislative oversight was an important area of concern in the 2007 and 2008 sessions. The following are highlights of legislation enacted in 2007 and 2008 regarding oversight and administration:

- Several states required studies of some aspect of the state's child welfare system:

  - Maine mandated a study of state permanency efforts for children in care. Nevada and New Hampshire required an evaluation of state child welfare services, and Washington required a review of the availability of child welfare services throughout the state (2007).

  - Texas required the Department of Family and Protective Services to develop a child protective service improvement plan (2007).

  - Vermont created a commission to address childhood poverty (2007).

- Florida authorized a statewide Guardian Ad Litem Office to create a fund-raising entity. Florida also created a Children and Youth Cabinet in the Office of the Governor to improve child and family outcomes and provide a continuum of integrated services for children and families. In addition, legislation redesignated the Office of Child Abuse Prevention as the Office of Adoption and Child Protection to promote adoption, support adoptive families and implement child abuse prevention efforts statewide. Further, the state authorized the integration of substance abuse and mental health programs into the Department of Children and Families and allowed the establishment of local community partnerships (2007).

- Illinois required the Department of Children and Family Services to provide its Inspector General with a report on the status of any corrective actions on misconduct or violations of rules or law by department employees, foster parents, service providers or contractors (2007).

- Indiana required the establishment of at least three citizen review panels. The legislation also required written policies on child maltreatment administrative reviews and hearings (2007).

- Kentucky directed the Cabinet for Health and Family Services to provide support for the Office of the Ombudsman in tracking trends in citizen complaints regarding child protective services (2007).

- Alabama established the Legislative Youth Advisory Council, the Legislative Youth Advisory Oversight Commission and the Services for Alabama Families Study Commission (2008).

- Colorado required identification of anticipated reinvestment savings from coordinating services for children and families as a result of the Collaborative System of Management of Multi-Agency Services Program. The legislation also required the Department of Human Services to develop training for counties to assist them in more effectively delivering services to children and families (2008).

- Louisiana mandated that state departments implement a system of service delivery integration to meet the needs of children and families and authorized the development of a Neighborhood Place for the service integration delivery model. Stated goals of the system are to include providing citizens with timely access to an array of health care, education and human services to address foster care, adoption, and family safety and stability (2008).

- Maine lawmakers created a Children's Growth Council to develop and evaluate a plan for sustainable social and financial investment in the healthy development of the State's young children and their families. The legislation also offered a voluntary universal home visiting program for new families with children (2008).

- Four other states passed legislation related to oversight of the child welfare system in 2007 (California, Oregon, West Virginia and Wisconsin). Five other states passed such legislation in 2008 (Georgia, Illinois, Minnesota, Ohio and Virginia).

Prevention/Treatment/Training

States crafted legislation to prevent and treat child abuse and neglect and to provide training for various child welfare stakeholders. The following are highlights of legislation enacted in 2007 and 2008 regarding prevention, treatment, and training:

- Arkansas recommended statewide collaboration to introduce a child abuse prevention curriculum into the public school system (2007).

- Florida developed guidelines for court orders and oversight of children to ensure their safety from harm during visitation or other contact, through a supervised visitation program and a clearinghouse (2007).

- Hawaii authorized Temporary Assistance for Needy Families funds for the Healthy Start Program. Lawmakers also established a children's system of care account to reduce out-of-home placements of children with multiagency service needs (2007).

- Nebraska lawmakers created a Children's Behavioral Health Task Force to develop a system of care for providing educational, behavioral health, substance abuse and support services to both adjudicated and nonadjudicated children and their families (2007).

- New Jersey required the Task Force on Child Abuse and Neglect to develop a statewide public education program on child abuse and neglect and a child abuse prevention program. Lawmakers also required an educational program for grades 7–12 on the New Jersey Safe Haven Infant Protection Act (2007).

- North Carolina required a study of the current respite care delivery system. Lawmakers also required the Education Department to ensure that children in grades 9–12 learn about the Infant Safe Surrender Program. Further, the legislation updated laws related to the Family Resource Grant Program to ensure that grants are provided to research-based, proven programs (2007).

- South Carolina mandated shaken-baby syndrome prevention education (2007).

- Texas required the Department of Family and Protective Services and the Interagency Coordinating Council for Building Healthy Families to develop a statewide, long-range strategic plan for child abuse and neglect prevention programs. Legislation also required that the department develop a program of enhanced in-home support in child neglect cases in low-income families to prevent placement (2007).

- Washington mandated the Children's Trust Fund to fund research-based home visitation programs and provided funding for a one-time study of child abuse prevention conducted by the Washington Institute of Public Policy. Legislation also required law enforcement agencies to be trained on child maltreatment (2007).

- Colorado created the Child Welfare and Mental Health Services Pilot Program in the Department of Human Services to provide mental health screenings, evaluations and services for any child from age 4 through age 10 who has been the subject of a substantiated case of abuse and neglect (2008).

- Utah established a Safety Net Initiative and Task Force within the Office of the Attorney General to facilitate efforts to provide services to victims of domestic violence, sexual abuse and maltreatment (2008).

- Four other states and the District of Columbia passed legislation related to prevention, treatment and training in 2007 (California, Maryland, Oregon, Tennessee and the District of Columbia). Five other states passed such legislation in 2008 (California, Hawaii, Maryland, New York and Tennessee).

Racial Disproportionality

One state continued its examination of outcomes for children of color in its child welfare system in 2007:

- Washington required an analysis of and recommendations on racial disproportionality in the child welfare system (2007).

Reporting

Legislatures in several states enacted provisions related to the reporting of child abuse and neglect. The following are highlights of legislation enacted in 2007 and 2008 regarding reporting:

- Arkansas required the state Department of Education to include child abuse recognition training in higher education licensure or certification prerequisite programs for mandated reporter professionals (2007).

- New York required social service workers to report child maltreatment to the New York State Child Abuse Hotline when they suspect abuse based on information provided by a person with personal knowledge of the mistreatment. The state also expanded the definition of "school officials," who are required to report maltreatment, and prohibited retaliation by agencies or facilities working with children against any employee who makes a report of child maltreatment (2007).

- New York legislators defined the abuse and neglect of a child in residential care and specified reporting procedures, central registry placement and criteria for determinations of such reports and actions to be taken. The legislation required the Office of Children and Family Services, upon reasonable cause to suspect child abuse or neglect, to recommend to the facility and licensing state agency appropriate preventive and remedial actions to be taken and required such action to be taken within a reasonable period, with a written report of such actions submitted to the office (2008).

- Tennessee provided immunity from civil and criminal liability to health care providers making reports of harm during an examination of a child (2008).

- Two other states passed legislation related to reporting in 2007 (Oregon and Washington). Two states also passed such legislation in 2008 (Maine and Michigan).

Safe Havens for Infants

Lawmakers in several states addressed issues related to the safe surrender of abandoned infants. The following are highlights of legislation enacted in 2007 and 2008 regarding safe havens for infants:

- Massachusetts required reports every two years on the overall effectiveness of the state's safe-haven program (2007).

- New Jersey required the development of an educational poster on the safe-haven program to be distributed to all public schools grades 7–12 (2007).

- Alaska prohibited prosecution of parents who safely surrender their infants younger than 21 days old, under certain conditions (2008).

- Arizona required safe-haven providers to post notices in conspicuous areas and outside of all entrances to the provider building (2008).

- Nebraska lawmakers, during a special session, specified an age of 72 hours old or younger, for safely abandoned infants who would be accepted into the custody of hospitals and fire stations. Required hospital and fire station staff to notify law enforcement, and required the Department of Health and Human Services to maintain a monthly report on the numbers of such abandoned children (2008).

- Ohio increased to 30 days the maximum age at which a child may be voluntarily delivered by the parent to a peace officer, hospital employee or emergency medical service worker under the safe-haven law. Required the Department of Job and Family Services to develop a plan to educate the public about the safe-haven law (2008).

- Vermont clarified that persons receiving infants under the safe-haven law are not required to reveal the parent's name unless they suspect the child has been abused (2008).

Siblings

States recognized the importance of maintaining sibling connections for children in out-of-home care. The following are highlights of legislation enacted in 2007 and 2008 regarding siblings:

- Arizona required the Administrative Office of the Courts to establish a "Sibling Information Exchange Program" to facilitate contact between children formerly in state custody and their siblings (2007).

- Iowa and Oregon lawmakers instructed their State child welfare agencies to place siblings together, and Iowa provided for sibling visitation (2007).

- Minnesota required that youth age 19 and older who were adopted or committed to guardianship be notified of other adopted siblings (2007).

- Colorado required county departments of social services to arrange sibling visits between children in foster care within a reasonable amount of time (2008).

- Virginia lawmakers gave courts the authority to grant visitation rights to siblings and required that reasonable steps be taken to place siblings together in the same foster home or to develop a plan for regular visitation or communication (2008).

Substance Abuse

A few states addressed substance abuse issues. The following are highlights of legislation enacted in 2007 and 2008 regarding substance abuse:

- Maryland added methamphetamine to the list of drugs that a child born exposed to or having a mother testing positive for upon hospital admittance is presumed to be in need of assistance (2007).

- Texas added heroin and cocaine to the list of drugs covered under the Drug Endangered Child Initiative (2007).

- Iowa required the Department of Human Services to collect data and develop a protocol to address the relationship between substance misuse, abuse or dependency by a child's parent, guardian, custodian or other person responsible for the child's care and child abuse. Required a report to the governor and legislature (2008).

- South Dakota allowed the courts to consider whether the abuse or neglect of a child was related to parent or caretaker substance abuse and allowed the court to order substance abuse or drug testing prior to or during the child's placement. Allowed the Department of Social Services, without prior court order, to immediately remove a child if a parent or caretaker tests positive or fails to submit to the testing, subject to a review hearing (2008).

Transition from Foster Care

State lawmakers continued to support youth transitioning out of the foster care system. The following are highlights of legislation enacted in 2007 and 2008 regarding transition from foster care:

- California expanded the definition of homeless youth to include a person age 24 or younger who is homeless or at risk of homelessness, is no longer eligible for foster care or has run away from home (2007).

- Colorado expanded Medicaid eligibility for older foster youth (2007).

- South Dakota child welfare agencies and the Department of Corrections were allowed to provide foster care to youth in corrections settings (2007).

- Texas required the Department of Family and Protective Services to release to children age 18 and older leaving foster care, their health information and birth certificate (2007).

- Vermont enacted legislation to extend foster care services to youth between ages 18 and 22 and required youth receiving transitional services to be in school or training or to work and contribute to the cost of services (2007).

- Washington State extended Medicaid coverage to youth younger than age 21 who were in foster care on their 18th birthday and created the Passport to College Promise Pilot Program to provide these youth with outreach and information on opportunities for higher education. Washington also created the Independent Youth Housing Program to support the housing needs of former foster youth ages 18–23 (2007).

- Colorado, Louisiana and Mississippi extended Medicaid eligibility for youth (2008).

- Connecticut increased the number of additional units of affordable housing for transitional foster care youth (2008).

- Indiana extended foster care to youth until age 21; New Hampshire allowed the courts to retain jurisdiction in an abuse and neglect case until age 21 (2008).

- Michigan required the development of a foster care independence program for young adults ages 14 to 21 in foster care to help them make the transition to adulthood and self-sufficiency (2008).

- New Hampshire established a task force to study the issue of homeless teens, to include researching the transitional services available to young people who are moving from foster care or other service systems to adult care systems (2008).

- Florida also passed legislation related to transition from foster care in 2007, and California and Virginia passed such legislation in 2008.

Tribes

The needs of Indian children were addressed in legislation in several states. The following are highlights of legislation enacted in 2007 and 2008 regarding tribes:

- Minnesota instructed the court on its duties regarding a child's tribal membership and allowed tribal organizations to obtain background study data on individuals under tribal jurisdiction related to adoption or foster care (2007).

- South Dakota allowed tribal agencies providing child welfare access to results of child abuse registry checks (2007).

- Kansas included Indian tribes in its definition of interested parties seeking to intervene in the care of a child (2008).

Workforce

Several states addressed issues related to the safety, recruitment and caseloads of child welfare workers. The following are highlights of legislation enacted in 2007 and 2008 regarding workforce issues:

- Delaware reduced caseloads for investigation workers from 14 cases per investigation worker to 11 cases per worker (2007).

- Kentucky created the "Boni Frederick Bill" in honor of a caseworker killed while on duty. The law required the Department for Community Based Services to implement new safety provisions and procedures, including conducting risk assessments on all local offices and allowing front-line staff to request safety assessments before conducting an investigation or delivering services. The legislation provided an appropriation for emergency alert technology and required the department to designate a study group to examine personal safety training and other requirements (2007).

- Texas required a study on educational reimbursement to recruit and retain caseworkers (2007).

- Virginia required the Department of Social Services to provide educational programs and to establish minimum training requirements for foster and adoption workers and their supervisors. The legislation also required a code of ethics and mutual responsibilities to be written into foster care policy language (2008).

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Appendix A. Citations and Summaries of State Child Welfare Legislation, 2007

Adoption

2007 Ark. Laws, HB 2237, Chap. 381
Establishes a "fast track" or streamlined adoption process for neglected newborns under Garrett's Law. Allows mothers whose newborns have been reported to the State Police Child Abuse Hotline and/or taken into department custody the option of placing their infants for adoption through a licensed child placement agency or a private adoption with any person licensed to practice medicine or law. Requires the Division of Children and Family Services to monitor whether the mother withdraws her consent to the adoption.

2007 Cal. Stats., SB 313, Chap. 47
Requires the court, in an action to determine the existence of a father-child relationship or an action for custody by the alleged natural father, to join prospective adoptive parents or an adoption agency to which the child has been relinquished as a party to the action without a motion for joinder. Revises the law regarding the adoption of an abandoned child. Allows a court to make a finding of a parent's abandonment when a guardian has been appointed for the child. Allows a court to make a finding of abandonment if a parent has otherwise failed to communicate or support the child for the period of one year. Authorizes a legal guardian who has been the child's legal guardian for more than 6 months to file a petition for adoption if the child is alleged to be abandoned.

2007 Cal. Stats., SB 703, Chap. 583
Requires a county child welfare agency to conduct, complete, and report the results of a home study within 60 days of the date that the state receives the request from another state. Authorizes the release and disclosure of reports of suspected child abuse and neglect, for a fee, to out-of-state agencies responsible for approving prospective foster or adoptive parents or relative caregivers for placement of a child.

2007 Colo. Sess. Laws, SB 33, Chap. 351
Specifies that if an adopted child whose family is receiving an adoption subsidy is subsequently placed outside the home and the family is required to pay for the cost of the child's care, the payments may not exceed the adoption subsidy. In addition, if an adopted child has been in a voluntary out-of-home placement for 90 days or more, the county must file a petition for review of need for placement.

2007 Fla. Laws, HB 803, Chap. 119
Allows a qualifying state government employee who adopts a special-needs child to be eligible to receive a lump sum benefit of $10,000 per child. An employee adopting a child in the custody of the Department of Children and Families or a licensed child-placing agency will be eligible to receive a $5000 benefit per child. Specifies that benefits to part-time employees must be prorated.

Authorizes parental leave for qualifying adoptive employees in accordance with the personnel policies and procedures of the employee's state agency. Requires the department to adopt rules and to administer the program benefit.

2007 Fla. Laws, HB 1309, Chap. 124
Sec. 1. Redesignates the Office of Child Abuse Prevention as the Office of Adoption and Child Protection to establish a comprehensive statewide approach for the promotion of adoption, support of adoptive families and implementation of child abuse prevention efforts.

Requires the office to advise the governor and the legislature on statistics related to the promotion of adoption, support of adoptive families and child abuse prevention trends, status of current programs and services, funding, and development and implementation of a state strategy.

Requires a report, by January 1 each year, to the governor, the legislature and relevant state agencies to include a summary of adoption data, child abuse prevention data and the timeliness of the adoption process for children adopted from within the child welfare system.

Adds an adoptive parent who has adopted a child from within the state child welfare system to the Child Abuse Prevention and Permanency Advisory Council.

Requires each departmental district to develop a plan for its geographic area to be submitted to the Advisory Council. Requires the district plan to include the following: (1) information on the number of children within the child welfare system available for adoption who need child-specific adoption promotion plans, (2) a description of programs currently promoting and supporting adoptive families with information on impact, cost effectiveness and sources of funding and (3) a description of a comprehensive approach for providing post-adoption services.

Sec. 2. Allows the Office of Adoption and Child Protection to establish a direct-support organization to assist the state in promoting adoption, support for adoptive families and prevention by raising money and submitting requests for funding from federal, state, private foundations and individual sources.

Requires the office to collect and maintain data and records to evaluate the effectiveness of the program.

Requires the office, under certain conditions, to provide to the adoptive parents a maintenance subsidy and an annual adoption assistance benefit of $5,000, paid on a month-by-month basis. Appropriates funds for the maintenance subsidy.

2007 Ill. Laws, SB 68, P.A. 95-601

Amends the Children and Family Services Act so that the Department of Children and Families may continue to provide financial and education assistance for a child during the period beginning when a child's adoptive parents died and ending with the finalization of a new adoption of the child by another adoptive parent or parents, regardless of the federal financial participation in the cost. Amends the Adoption Act so that the court can proceed to final judgment following the death of one of the intended adoptive parents.

2007 Md. Laws, HB 968, Chap. 444

Sec. 1. Establishes a post-adoption support pilot program to identify children eligible for post-adoption support services, conduct needs assessments of adopted children and adoptive families, and create a post-adoption support services plan.

Specifies that post-adoption services are to include medical treatment, mental health services, parenting classes or other direct services provided by the local Department of Social Services after a child is adopted to aid the child or family if the child is in crisis and to prevent the return of the child to department custody. Sets funding. Requires a report to the legislature on or before Dec. 1, 2009, on the number of children adopted and number of adoptive families served by the program, the number that applied for services under the program, the types of services provided and the effectiveness of the services.

2007 Minn. Laws, HB 1078, Chap. 147

Provides instructions requiring the child welfare agency to diligently recruit adoptive families for all children in care who are eligible for adoption, and prohibits a child who is legally freed for adoption from refusing or waiving efforts to recruit, identify and place him or her in an adoptive home. Provides guidelines for notice, findings and orders related

to a petition for adoption. Defines the eligible children upon whose behalf reimbursement for adoption agency services may be sought. Allows the commissioner to spend $16,000 per child-specific adoption service agreement.

Emphasizes the importance of the state-qualifying adoption incentive funds.

2007 Miss. Laws, HB 1121, Chap. 337
Sec. 1. Expands the definition that the Department of Human Services uses to disburse supplemental benefits for special-needs adoptive children, in accordance with federal law.

Sec. 2. Requires a written agreement between the adoptive parent(s) and the department to address the supplemental benefits. Extends benefits to as long as the adoptive parent(s) retains custody.

2007 Mont. Laws, HB 490, Chap. 320
Allows a tax credit of $1,000 for the legal adoption of an eligible child.

2007 N.Y. Laws, SB 4962, Chap. 469
Amends the Social Services Law, the Family Court Act and the Public Health Law to clarify the requirements for receipt of adoption subsidies and placement on the adoption registry.

N.C. Sess. Laws, HB 865, Chap. 2007-151
Seeks to remove barriers to adoption by clarifying the basis for court decision making regarding termination of parental rights and by expanding the scope of jurisdiction over adoption proceedings.

2007 Ohio Laws, SB 29, Session Law 6
Increases the income tax adoption credit from $500 per child to $1,500 per child.

2007 Texas Laws, SB 758, Chap. 1406
Sec. 4. Requires the Executive Commissioner of the Health and Human Services Department to provide the maximum amount of subsidy that may be paid to an adoptive parent under an adoption assistance agreement that is an amount equal to what would have been paid to the foster parent of the child, based on the child's foster care service level. Applies only to children who otherwise would have been expected to remain in foster care until age 18 and his or her caregiver would have received foster care payments. Lists factors that may be considered in determining eligibility.

2007 Texas Laws, HB 2549, Chap. 1243
Extends group life insurance to an eligible natural or adopted grandchild.

2007 Texas Laws, HB 2702, Chap. 267
Sec. 1, 3. Allows students with adoption assistance agreements that provide monthly assistance to be exempt from tuition and fees at public institutions of higher education for the fall 2007 semester onward.

Sec. 2. Instructs the Health and Human Services Department to pay a $150 subsidy each month for health benefit premiums for children under a final order of adoption if the child was under department conservatorship at the time of the adoption placement, would not be eligible for medical assistance and is under 18. Requires the Executive Commissioner of the Health and Human Services Commission to adopt rules that include limiting eligibility for the subsidy to children whose adoptive family income is less than 300 percent of the federal poverty level and requiring documentation of proof of appropriate use of the subsidy.

Child Fatality Review

2007 Cal. Stats., SB 39, Chap. 468
Required juvenile case files pertaining to a child who died as the result of abuse or neglect to be released to the public, with specific limitations. Required the custodian of records within a county welfare agency or department to disclose specified records of child abuse or neglect that result in the death of a child. Required county welfare agencies to notify the Department of Social Services of child deaths within their jurisdiction that were a result of child abuse or neglect and to establish a procedure for providing notification and reporting of such child fatalities.

2007 Ill. Laws, HB 616, PA. 95-405
Amends the Child Death Review Team Act. Provides guidelines for the initial response, ongoing reporting and implementation activities of the director of the Department of Children and Family Services, and monitoring of these activities by the Executive Council, with respect to each recommendation made by a Child Death Review Team. Expands the departmental report on a death of a child to include "serious life-threatening injury" of a child, and provides specific information regarding reporting and public disclosure requirements.

2007 Ill. Laws, HB 617, P.A. 95-527
Makes information included in the reports from the Office of the Inspector General (OIG) of the Department of Children and Family Services subject to public disclosure requirements. Emphasizes the independent functioning of the OIG and requires the implementation of Error Reduction Plans to remedy patterns of errors or problematic practices that compromise or threaten the safety of children, as identified in OIG death or serious injury investigations and Child Death Review Team recommendations. Requires the creation of Error Reduction Safety Teams to implement the plans. The teams are to consist of Quality Assurance and Division of Training staff who will work in the offices of the department and/or contracted agencies. Requires the preparation of annual public reports on the plans and recommendations for additional training, changes to rules and procedures or other systemic reforms. Requires Quality Assurance staff to work with affected front-line staff to implement the provisions of the plans related to staff functioning and performance. Requires the implementation of training and reform protocols through hands-on assistance, supervision and management to ensure that the agencies, offices or regions with whom the teams work develop the skills and systems necessary to incorporate changes on a permanent basis. Requires training staff to work with the OIG and with the child death review teams to develop a curriculum to address errors identified that compromise the safety of children. Following the training roll-out, the teams will work onsite in identified offices. The teams will review and supervise all work relevant to the Error Reduction Plans.

Instructs the director to fill any vacancy in a Child Death Review Team within 60 days, ensure representation from the State Police and fund the teams under a separate line item in the annual budget. Expands the scope of review by Child Death Review Teams to include cases of serious or fatal injuries to a child identified under the Child Advocacy Center Act. Expands team access to information and allows the Department Director to select an Executive Director for the Illinois Child Death Review Teams Executive Council.

Allows the Child Death Review Team Executive Council to establish a three-year pilot program in the Southern Region of the State, under which a special Child Death Investigation Task Force will be created to develop and implement a plan for the investigation of sudden, unexpected or unexplained deaths of children younger than age 18 occurring within that region.

2007 Md. HB 1071, Chap. 264
Authorizes local child fatality review teams to have access to information and records. Provides for confidentiality.

2007 Mo. Laws, SB 25
Sec. 210.183. Changes the requirement that the Children's Division must complete an investigation within 30 days when the child involved in the pending case dies during the investigation. Requires that if a child involved in a pending child abuse investigation dies, the investigation will remain open until the investigation surrounding the death is completed.

2007 Nev. Stats, AB 261, Chap. 70
Allows more transparency regarding public disclosure of child fatalities and near fatalities. Requires that the Legislative Auditor receive and review information concerning certain children who suffer a fatality or near fatality.

2007 Nev. Stats, AB 263, Chap. 330
Sec. 4. Authorizes the organization of a multidisciplinary team to oversee the child fatality review process.

Sec. 5. Imposes civil penalties upon members of teams and committees involved in the child fatality review process who disclose any confidential information concerning the death of the child.

Sec. 10. Requires that persons believing that a child has died because of abuse or neglect must immediately report that to an agency that provides child welfare services or a law enforcement agency. Requires that the child welfare service agency notify a medical examiner or coroner.

2007 Wash. Laws, HB 1333, Chap. 2007-410
Requires each county to revise and expand its existing child sexual abuse investigation protocol to address investigations of child fatality, child physical abuse and criminal child neglect cases and to incorporate the statewide guidelines for first responders to child fatalities developed by the Criminal Justice Training Commission.

Children of Incarcerated Parents

2007 Md. Laws, HB 1206, Chap. 91
Sec. 1. Allows an inmate to participate in a residential or nonresidential treatment program, including a program for pregnant women or a program to establish bonding between mothers and newborn infants.

2007 N.M. Laws, HB 271, Chap. 89
Requires that law enforcement identify whether a person has minor or dependent children upon arrest. Requires the arresting officer to make reasonable efforts to ensure the safety of the minor or dependent children because of the arrest. Provides that the Department of Public Safety must establish guidelines and training to ensure child safety upon the arrest of a parent or guardian. Guidelines must include (1) procedures of inquiry, (2) procedures for the proper arrangement of temporary care and (3) education on the effects of witnessing violent crime or other events causing emotional harm to children, and how law enforcement can help mitigate the effects.

2007 Va. Acts, SB 188, Chap. 366
Directs the Secretary of Health and Human Resources to establish an integrated system for the planning and provision of services for children with incarcerated parents.

2007 Wash. Laws, HB 1422, Chap. 384
Requires the Department of Corrections (DOC), Department of Social and Health Services, Department of Early Learning, and Office of the Superintendent of Public Instruction to review their agency policies related to the adequacy and availability of programs or services targeting inmates who have children or the children and families of a person who is incarcerated in a DOC facility. Requires the head of each agency to adopt policies and programs that encourage familial contact and engagement between inmates and their children.

2007 W. Va. Acts, SB 411, Chap. 50
Creates the West Virginia Correctional Center Nursery Act in the Division of Corrections. Allows eligible inmates and children born to them while in custody to reside together in a correctional center for women. Specifies that neither the establishment of the program nor an inmate's participation in the program shall affect, modify or interfere with the inmate's custodial rights to the child nor does it establish legal custody of the child with the Bureau for Children and Families. Specifies eligibility requirements and terms of participation. Requires the Bureau of Child Support Enforcement to collect child support payments and forward them to the division.

Allows the division to receive donations and public assistance provided to a specific child or inmate and money or other property assigned or donated to establish and maintain the program. Requires 10 percent of the money to be placed in the mandatory savings account of the mother. Specifies that remaining moneys are to be used for items not covered by program funds.

Requires the division to obtain funds to operate the program and to accept gifts, grants, money and other forms of donation, to be deposited into a special revenue account for the program.

Courts and Legal Representation

2007 Ariz. Sess. Laws, SB 1158, Chap. 156
Directs the courts, during child dependency proceedings, to consider substantiated allegations of child abuse or neglect committed in other jurisdictions.

2007 Ark. Laws, SB 284 Act 281
Sec. 1. Appropriates $250,000 for indigent parent counsel fees and expenses for 2006–2007.

2007 Ark. Laws, SB 303, Act 703
Sec. 15. Specifies safeguards for child victims testifying in judicial and administrative proceedings to facilitate fair and accurate testimony.

2007 Cal. Stats., AB 1514, Chap. 120
Provides that only a juvenile court judicial officer is authorized to make orders regarding the administration of psychotropic medications for wards of the court who have been placed in foster care.

2007 Colo. Sess. Laws, SB 226, Chap. 260
Requires the court to ensure that a juvenile and the juvenile's foster parents, pre-adoptive parents or relatives receive notice of all hearings and reviews concerning the juvenile. Specifies that such persons have a right, rather than an opportunity, to be heard during court proceedings. Requires the person with whom the child is placed to provide notice to the child of all hearings and reviews held regarding the child.

Requires the court to consult with a child, in an age-appropriate manner, regarding the child's permanency plan. Specifies that efforts to place the child for adoption or with a legal guardian or custodian include appropriate in-state and out-of-state placement options.

2007 Conn. Acts. HB 7037, Act 174
Sec. 3. Requires a prospective adoptive parent or a relative caregiver to receive notice of any court hearing and have the right to comment beforehand concerning a foster child in his or her care.

2007 D.C. Stat., B263, Chap. 69
Amends the Grandparent Caregivers Pilot Program Establishment Act of 2005 to eliminate the requirement that a grandparent caregiver obtain a court order to be eligible, and authorizes penalties for making false statements when applying for subsidies under the program. Establishes a custodial power of attorney to help parents who wish to establish consensual temporary arrangements for the care of their children without litigation.

2007 Fla. Laws, HB 77, Chap. 2007-109
Sec. 1. Enacts the "Keeping Children Safe Act" to ensure the safety of abused, abandoned or neglected children from harm during visitation or other contact. Creates a rebuttable presumption of detriment to a child when a parent or caregiver has been subject of a report involving sexual abuse of a child or is a sexual predator. Requires that such persons may visit or have other contact with a child only after a hearing and a court order. Requires that at such a hearing the court appoint an attorney ad litem or guardian ad litem specially trained in the dynamics of child sexual abuse. Allows the court to receive and rely on evidence that includes written and oral reports, even if the evidence may not be competent in an adjudicatory hearing.

Allows the court to allow visitation or other contact if it finds that the person proves by clear and convincing evidence that the child will not be endangered by the visitation. Requires the court to enter a written order prohibiting or restricting contact if it finds otherwise. Sets conditions for visitation, including supervision. Requires the court to suspend the visitation if advised by a party or participant that a person is attempting to influence the testimony of a child. Requires the court to convene a hearing within seven business days if it is informed by a child's therapist that the visit is impeding the child's therapeutic program.

2007 Fla. Laws, SB 2802, Chap. 2007-73
Sec. 4. Requires the Department of Children and Families to ensure that all public and private agencies and institutions participating in child welfare cases enter information into the Florida Safe Families Network (FSFN), the state's automated case management system, to maintain the accuracy and usefulness of the system. Requires the department to coordinate with the Office of the State Court Administrator and the statewide Guardian Ad Litem Office to allow judges, magistrates and guardians ad litem to access the FSFN concerning cases to which they have been assigned.

2007 Ga. Laws, HB 153, Act 325
Changes certain provisions related to hearings in juvenile court, disposition of a deprived child and definition of legal custody. Provides for certain requirements when changing placement of children who are in the custody of the division, including providing five-day advance notification to the court, a child over age 14, the child's parents, guardian or other custodian, and any attorney of record. Provides a process for initiating and conducting placement change hearings when requested by the child, guardian or attorneys of record.

2007 Ga. Laws, SB 128, Act 248
Requires consideration of in-state and out-of-state placements for children at permanency plan hearings. Provides for procedural safeguards at permanency hearings to ensure that children are consulted regarding proposed permanency and transition plans in a manner that is age appropriate. Requires that notice of the right to be heard at certain hearings and proceedings be provided to foster parents, pre-adoptive parents and relative caregivers.

2007 Hawaii Sess. Laws, SB 1779, Act 106
When the child's permanency plan goal is adoption or permanent custody, requires the court to order that the existing service plan be terminated and the prior award of foster custody be revoked, permanent custody be awarded to an appropriate authorized agency and an appropriate permanency plan be implemented. When the child's permanency goal is guardianship, requires that the prior award of foster custody be continued and the existing service plan be terminated; an appropriate permanency plan be implemented; and until the guardianship is ordered, the case be set for a permanency plan review hearing within six months.

2007 Hawaii Sess. Laws SB 2054, Act 114
Revises criteria and procedures for awarding custody and visitation to safeguard the best interest of the child. Instructs the court on the factors to consider when making a determination regarding what constitutes the best interest of the child.

2007 Ill. Laws, SB 1379, P.A. 95-10
Amends the Juvenile Court Act of 1987 to require the court to consult with the minor in an age-appropriate manner regarding the proposed permanency or transition plan for the minor, and to consider both out-of-state and in-state placement options when determining a permanency goal.

2007 Ind. Acts, SB 311, Act 52
Sec. 8. Allows the Department of Child Services to file a petition to remove an alleged perpetrator of child abuse or neglect from the child's residence if the department determines after an investigation that there is probable cause to believe that a child is in need of services and the child would be protected in his or her home by removal of the alleged perpetrator.

Allows the court to issue a temporary child protection order in these cases without a hearing if there is immediate danger to the physical health or safety of the child or the child has been a victim of sexual abuse, there is no time for an adversary hearing given the immediate danger to the child, or the child is not in danger from the other parent or adult with whom the child will continue to reside.

2007 Ind. Acts, SB 328, Act 138
Sec. 45. Creates the Uniform Child Custody Jurisdiction Act. States that the Act does not apply to an adoption proceeding or to the authorization of emergency medical care for a child. States that an Indian child as defined by the Indian Child Welfare Act is not subject to the Act to the extent governed by the Indian Child Welfare Act.

Defines a child custody proceeding as a judgment, decree or other court order providing for legal or physical custody or visitation and includes child abuse or neglect, guardianship, termination of parental rights and protection from domestic violence in which child custody or visitation may be an issue. Sets procedures and court jurisdiction for the Act. Outlines communication and cooperation between courts in different states. Outlines enforcement.

2007 La. Acts, HCR 137
Continues the Task Force on Legal Representation in Child Protection Cases for a five-year period to facilitate the implementation of recommendations made by the Task Force in the current session. Adds a designee from the Louisiana Association of Criminal Defense Lawyers and a designee from the Louisiana Children's Justice Act Task Force to the task force. Requires the implementation phase of the Task Force to be chaired by a member of the legislature.

2007 La. Acts, HB 669, Act 334
Art. 623. Clarifies the requirement that the Department of Social Services provide notice of any hearing regarding a child to his parents and other parents, and requires notice be given to foster parents, pre-adoptive parents or relatives providing care to a child in foster care.

Art. 702. Requires the courts to consider in-state and out-of-state permanent placement options for the child at permanency hearings. Requires the courts to consult with the child, in an age-appropriate manner, in any permanency hearing, including hearings regarding the transition of the child from foster care to independent living. Requires the hearing to determine the services needed to assess the child's transition from foster care to independent living in the case of a child who is age 16 or older.

Art. 780: Requires state agencies to coordinate with courts in placing a child in foster care or for adoption for the purpose of locating a parent of the child, including using information from the Federal Parent Locator Services.

2007 Minn. Laws, HB 1078, Chap. 147
Requires the court to consult with a child in an age-appropriate manner during permanency hearings and to consider permanent alternative homes that are available both inside and outside the state.

2007 Mont. Laws, HB 91, Chap. 166
Sec. 1. Allows audio and video testimony for child abuse and neglect cases.

Sec. 4. Allows courts to share information with other Montana courts and with out-of-state courts when necessary to expedite interstate placement.

Sec. 8. Allows the court, in a permanency hearing, to consult a child about the permanency or transition plan.

2007 Neb. Laws, LB 457
Requires the Supreme Court to develop a form regarding the date and place of each visit by the caseworker with the child. The form is given to foster parents, pre-adoptive parents, guardians and relatives caring for a child when they are given notice of an upcoming juvenile court review hearing.

2007 Nev. Stats., AB 353, Chap. 43
Sec. 2. Allows a child who has not been adopted and whose natural parent(s) have had their parental rights terminated or have relinquished their parental rights, or the legal guardian of such child, to petition a court for the restoration of parental rights.

Sec. 3. Requires that the courts give notice before the court holds a hearing on the petition. Requires that certain people have an opportunity to present evidence and testify during the hearing.

2007 N.H. Laws, SB 152, Chap. 236
Establishes new procedures for permanency planning for delinquent children, abused and neglected children and children in need of services. Clarifies that the review panel that reviews dispositional orders in juvenile cases is to review Judicial Branch Family Division orders and District Court orders.

2007 N.Y. A 9045, Chap. 327
Requires the court to consult with a child in an age-appropriate manner regarding the child's permanency plan. Amends the Family Court Act to ensure compliance with federal requirements pertaining to reasonable efforts in regard to identification of appropriate in-state and out-of-state placements for children removed from home.

2007 Ore. Laws, SB 408, Chap. 234
Prohibits the Department of Human Services from filing a petition to terminate parental rights until a court has determined, after a permanency hearing, that the permanency plan for the child should be adoption.

2007 Ore. Laws, SB 408, Chap. 806
Sec. 10. Requires that if the Department of Human Services has not placed, within six months, a child who has been surrendered for adoption or whose parents have had rights terminated, the court shall conduct a permanency hearing within 30 days. Requires that the court hold such hearings every six months until the child is placed for adoption or adoption proceedings have been initiated.

2007 Ore. Laws, HB 2181, Chap. 610
Sec. 1. Requires the Department of Human Services to file a report with the appropriate juvenile court containing a recommended timetable for dismissal of the department's legal custody of a ward united with the parent for a period of six months, after out-of-home placement.

2007 Tenn. Pub. Acts, HB 321, Chap. 372
Provides prospective adoptive parent(s) (including extended family members caring for a related child), any licensed child-placing agency having custody of the child, the child's guardian ad litem, or the Department of Children's Services with standing to file a petition to terminate parental or guardianship rights.

2007 Tex. SB 759, Chap. 1304
Sec. 1. Directs the courts to consult with a child age 4 or older, in a developmentally appropriate manner, regarding a child's permanency plan if it is in the best interests of the child. Requires the child to attend each placement review hearing unless the court specifically excuses the child's attendance.

2007 Wash. Laws, HB 1287, Chap. 409
Requires that foster parents, pre-adoptive parents and other caregivers be provided notice of their right to be heard in court proceedings for children in out-of-home care.

2007 Wash. Laws, HB 1333, Chap. 2007-410
Instructs the court, in a pending dependency case, to hold a review hearing within 30 days from the date of removal to determine whether the permanency plan should be changed, a termination petition should be filed or another action is warranted. Requires the Department of Social and Health Services (DSHS) to ensure that parents in dependency proceedings receive priority access to remedial services recommended by the DSHS or ordered by the court. Defines time-limited reunification services. Orders the Administrative Office of the Courts to compile an annual report providing information about cases that fail to meet statutory guidelines to achieve permanency for dependent children.

2007 Wash. Laws, HB 1334, Chap. 2007-411
Creates the Raphael Gomez Act, which requires the Department of Social and Health Services to submit documentation to the court when the agency makes a recommendation that a child who was removed because of abuse or neglect be placed with a parent. Requires the documentation to include progress reports and evaluations of parents' psychological status, substance abuse or mental health treatment, anger management or participation in domestic violence classes and physicians' reports on the child.

2007 Wash. Laws, HB 1624, Chap. 2007-413
Allows a dependent child who is at least age 12 to petition the court to reinstate the previously terminated parental rights of his or her parent. Provides guidelines and requirements for the filing of such petitions.

Education

2007 Alaska Sess. Laws, SB 76, Chap. 58
Establishes a higher-education savings program for eligible children placed in out-of-home care by the state, and ensures confidentiality of identifying information for program beneficiaries.

2007 Ark. Laws, SB 370, Chap. 587
Requires the court to issue orders for children placed in custody regarding whether the child's parent or guardian may have access to the child's school records and information on the current placement of the child and whether the parent or guardian may participate in school conferences or similar activities at the child's school.

2007 Ark. Laws, SB 838, Chap. 717
Provides free tuition at state-supported institutions of higher education for children who have been legally adopted by or are under the legal guardianship of disabled veterans, prisoners of war or soldiers killed or missing in action. Sets eligibility.

2007 Ark. Laws, SB 868, Chap. 1050
Establishes the Human Services Workers in Schools Program to promote child safety and strengthen families and support the community's ability to produce healthy children who succeed in school while living in supportive, nurturing families.

Specifies the qualifications of social workers and the services they are to provide, including crisis intervention, school conferences, home visits, transportation for family and student group conferences, parent training, service referrals, coping and conflict management skills training and assessment of family and student needs.

Requires collaboration between the Division of Child and Family Services, the Transitional Employment Assistance Board, the Department of Education and local school districts. Requires the development of eligibility criteria and an annual evaluation of the social workers.

2007 Ga. Laws, SB 128, Act 248
Permits the Division of Family and Children Services to provide health and education records to children who leave foster care as a result of reaching the age of majority.

2007 Ind. Acts, SB 330
Sec. 1. Allows a child placed in a state-licensed private or public health care facility or child care facility by the Department of Child Services, a court order or a licensed child-placing agency to attend school in the school district in which the facility is located.

Allows a child placed in a foster family home or the home of a relative or other unlicensed caretaker that is not located in the school corporation in which the child legally resides to attend school where the foster family home or other home is located. Requires the Department of Child Services and the student's foster family to decide where the child attends school unless the court makes the determination. Transfer tuition is not required for the student. Requires the school corporation in which the child has legal settlement to pay the transfer tuition under certain conditions.

Sec. 3. Allows the courts to determine legal settlement, for purposes of school attendance, for a child placed in the home of a relative or other unlicensed caretaker. Allows a court to place a child in a public school, regardless of whether the school has a waiting list, if the court determines that the school meets the child's educational needs and the school agrees to the placement.

2007 Kan. Sess. Laws, SB 355, Chap. 2007-94
Adds the term "required fees" to the list of costs waived by the Kansas Foster Child Educational Assistance Act, which established a tuition assistance waiver program for eligible foster children.

2007 Me. Laws, HB 1296, Chap. 451
Requires the Education Commissioner to issue a Department of Education diploma to any eligible student who is unable to obtain a locally awarded diploma because of disruption of education resulting from homelessness, unplanned psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster care placement, youth development center placement or other out-of-district placement. Requires that a schoolwork recognition plan be developed within 10 days of a student's placement in a new school, all curricula and assignments be provided to the student within five days of placement and all health and education records be transferred to the new school within five days of placement.

2007 Md. Laws, HB 1309, Chapter 644
Expands eligibility for a foster care tuition waiver to foster youth placed in out-of-home placements other than foster homes.

2007 Mo. Laws, SB 84
Sec. 650.025. Requires the Department of Elementary and Secondary Education, in conjunction with the Department of Social Services, to complete a study addressing the educational needs of certain children in residential care facilities.

2007 Nev. Stats, SB 400, Chap. 234
Establishes a Program of School Choice for Children in Foster Care, which allows a legal guardian or custodian of a child to enroll a child in a school of his or her choice that does not have to be located in the district in which the child resides. Allows the child to remain in the school even if the child leaves foster care. The Department of Education must administer the program. Authorizes legal guardians or custodians of certain children in foster care to apply to the department to participate in the program.

2007 N.H. Laws, HB 205, Chap. 295
Requires the court to notify a school district anytime the court is considering an out-of-district placement, to give the school district an opportunity to send a representative to the placement hearing.

2007 N.H. Laws, SB 168, Chap. 366
Establishes tuition waivers for foster children at any public postsecondary institution in the state.

2007 Ore. Laws, SB 414, Chap. 806
Sec. 8. Requires that the Children, Adults and Families Division report to the court a list of all schools that the child has attended since the child has been in guardianship or legal custody of the division; the length of time that the child has spent in each school; and, for a child age 14 or older, the number of high school credits earned, a list of dates of face-to-face contacts that the assigned caseworker has had with the child since the child has been in guardianship or custody of the division, and a list of the visits that the child has had with parents and siblings since the child has been in guardianship or custody of the division.

2007 Va. Acts, HB 95, Chap. 53
Requires a child's foster care placement to be part of a student's scholastic record.

2007 Wash. Laws, HB 1131, Chap. 314
Creates the Passport to College Promise Pilot Program to initially operate for six years and provide outreach and information regarding opportunities for higher education, including available financial aid, to foster care youth between ages 14 and 18. Requires the Higher Education Coordinating Board to design and implement a program of supplemental scholarships and student assistance for students who have emancipated from the state foster care system after having spent at least one year in care. Outlines eligibility requirements. Requires all state institutions of higher education to include on application and registration materials a question about foster care history. Requires the Department of Social and Health Services to implement procedures to promptly and accurately identify students and applicants eligible for assistance because of their foster care status. Requires the Higher Education Coordinating Board to develop and maintain an Internet Web site and outreach program for foster youth to obtain information about higher education. Requires the department to contract with at least one nongovernmental entity to develop and implement a program of supplemental educational transition planning for foster care youth.

2007 Wash. Laws, HB 1287, Chap. 409
Requires the courts to enter an order and authorization for the child's health and education records; provide the Department of Social and Health Services with the right to inspect and copy the records; and authorize and direct medical, dental, mental health, alcohol, drug or alcohol treatment providers to allow the department access to the records. Permits the department to notify the child's school of an out-of-home placement, enroll the child in school and conduct other activities related to the child's health and education.

Finance

2007 Cal. Stats., SB 84, Chap. 177
Provides a 5 percent increase for foster family home, specialized care, and group home rates. Revises existing procedures related to county collection of overpayments for foster care providers. Increases the maximum reimbursement amount in the Private Adoption Assistance Reimbursement Program (PAARP) to $10,000. PAARP provides a subsidy for each special-needs adoption completed by licensed adoption agencies in California. This support helps private agencies prepare and support families for waiting children. Revises the funding for the care of children who receive an Aid to Families with Dependent Children-Foster Care benefit and who are regional center consumers, and provides that PAARP cover the cost of providing adoption assistance benefits for these children. (California has 21 regional centers with approximately 40 offices throughout the state that serve individuals with developmental disabilities and their families.) Permits counties to provide a supplement of up to $1000 if the child needs extraordinary care and supervision that cannot be met within the established adoption assistance rate.

2007 Colo. Sess. Laws, SB 4, Chap. 227
Creates a coordinated system of payment for early intervention services for children eligible for benefits under the Individuals with Disabilities Education Act.

2007 Colo. Sess. Laws, SB 226, Chap. 260
Requires the Department of Human Services to distribute 100 percent of federal Title IV-E incentive funding received by the state for completion of timely interstate home studies to the county Departments of Social Services conducting the studies. The funding was to be distributed no later than Jan. 1, 2008, pursuant to a formula developed by the State Board of Human Services.

2007 Colo. Sess. Laws, HB 1025, Chap. 167
Requires the Department of Human Services to promulgate rules regarding the methodology by which counties may negotiate rates, services and outcomes with licensed providers.

2007 Conn. Acts, SB 1, P.A. 07-203
Authorizes the Department of Children and Families, or the Department of Administrative Services, to bill and collect up to the full cost of care for children in the state's child welfare program. Allows the department to bill the child's legally liable relatives, the child or both.

2007 Idaho Sess. Laws, HB 322, Chap. 304
Sec. 8. Requests the Department of Health and Welfare to perform a comprehensive cost-benefit analysis and feasibility review of any potential benefits of paying for the therapeutic portion of therapeutic foster care and residential group care programs from Medicaid rather than the state-funded Children's Mental Health program. Requires a report to the Health Care Task Force by Nov. 1, 2007.

Sec. 9. Requests the department to perform a similar cost-benefit analysis and report on paying for substance abuse treatment from Medicaid rather than the state-funded portion of the Substance Abuse Services program.

2007 Ill. Laws, HB 1391, P.A. 95-103
Permits county boards in each county in which a children's advocacy center provides services to adopt a mandatory fee of between $5 and $30 to be paid by the defendant in certain criminal and traffic offenses on a judgment of guilty or a grant of supervision. Allows for assessments collected to be deposited into an account specifically for the operation and administration of the children's advocacy center.

2007 Mich. Pub. Acts, P.A. 131
The appropriation includes an increase in funding for foster care, child protective services, adoption, licensing and information technology to improve the protection of children in state care and increase the permanent placement of children. The appropriation funds training and support of caseworkers to reduce the caseload backlog and increase the number of monthly caseworker visits to families and their children. In addition, the legislation provides funds for a new subsidized guardianship program, new positions for backlog cases and contract monitoring and a new Title IV-E Compliance and Accountability Office to increase federal reimbursement for eligible child welfare cases.

2007 Mo. Laws, HB 184
Creates the Children's Services Protection Act. Requires a city or county that levies sales tax for children in need to reimburse a children's service fund for the portion of revenue diverted to another use. Prevents governments from diverting tax dollars approved for children's services to pay for infrastructure, including utilities and street improvements.

2007 Mo. Laws, SB 86
Sec. 135.327. Allows the Director of Revenue to divide the unclaimed portion of the resident adoption category allocation among three qualifying agencies: Court-Appointed Special Advocates (CASA), child advocacy centers or crisis care centers.

Sec. 135.1150. Allows additional types of charitable donations, including cash, publicly traded stocks and bonds, and real estate, to be used to provide tax credits through the Children in Crisis Tax Credit Program, which provides tax credits for contributions to qualified agencies, as determined by the Department of Social Services.

2007 Tex. Laws, SB 758, Chap. 1406
Requires the Department of Family and Protective Services to develop a pilot program for the competitive procurement of case management services in one or more geographic areas of the state. The department's goal will be to privatize, by Sept. 1, 2008, 5 percent of the cases in which the department has been appointed temporary or permanent managing conservatorship of a child. Authorizes the department to continue to provide case management services in any pilot area if the department is unable to develop a contract or terminates the contract.

Foster Care

2007 Ark. Laws, SB 247, Chap. 216
Allows the Division of Children and Family Services to appoint a signee so that a child in state custody may obtain an instructional permit, a learner's license or an intermediate driver's license.

2007 Ark. Laws, SB 303, Chap. 703
Sec. 6. Prohibits the Division of Children and Family Services from placing foster children in the homes of cigarette smokers.

Sec. 12. Outlines procedures for sheriffs or police chiefs for placing children in department foster care homes.

2007 Ark. Laws, SB 955, Chap. 725

Sec. 1. Creates the Foster Parent Support Act of 2007 to support and aid foster parents to ensure the safety of foster parents' families. Requires that they be treated with consideration, dignity, trust and respect by the Division of Children and Family Services and other child welfare stakeholders and that they receive training to enhance their skills, to include standardized pre-service training and continuing education. Requires that they be informed of their responsibilities and opportunities as foster parents; have access to any laws, guidelines or changes in policies or procedures; have access to local and statewide support groups and supportive services for children in foster care; receive full disclosure, including reviewing and discussing all medical, psychological and behavioral issues of children in their care prior to their placement; have the ability to refuse placement or request the removal of a child without fear of reprisal or adverse effect; have access to information on the child's prior placements and removals; have access to contact information for the child's previous foster care placement families; and have a written explanation of the case plan, changes to the case plan and any other important information.

Requires the foster care parent to have meaningful participation in the case plan. This includes an opportunity to discuss the plan with the case manager; obtain a written copy of the service and treatment plan and changes to the plan; participate in the visitation plan with the child and the child's birth family; have their input considered by the Division of Children and Family Services; receive written notice of any changes to the case plan or plans to terminate the child's placement; receive notification of any hearing or review, including court hearings; have an opportunity to be considered as a permanency option for the child, including adoption; be a preferential placement option for a child formerly placed with the family; be able to maintain contact with the child; have access to a respite care plan; and receive timely and adequate financial reimbursement.

Sec. 2. Establishes the "Safeguards for Children in Foster Care Act" to ensure that the foster child is treated with nurturance and respect; cherished by a family of his or her own; heard and involved in decisions; involved with his or her birth family (if appropriate), friends, teachers and relatives; allowed access to his or her caseworker and an attorney ad litem; in receipt of appropriate education, training and preparation for citizenship; in receipt of quality child welfare services, individualized care and notification of changes; and provided with a plan for the future.

2007 Cal. Stats., SB 720, Chap. 475

Extends the state's Whole Family Foster Care Program, which provides foster placement for a teen parent and a child, to nonrelative legal guardians (legal guardians who are not relatives and who have established guardianship on their own through Probate Court) who have been trained. Requires that the same payment be made in a whole family foster home for the care and supervision of a child who is living with his or her teen parent as would be made for a child living with his or her teen parent in a group home.

2007 Cal. Stats., SB 785, Chap. 469

Provides that a foster child who has been adopted or moved into legal guardianship, including kinship care, and whose supervision by the court has been terminated, shall be provided medically necessary specialty mental health services.

2007 Cal. Stats., AB 1512, Chap. 467

Mandates that counties that place foster children in an out-of-county placement unenroll the child from the county-organized health system (Medi-Cal) within two business days of the placement so that the child may be re-enrolled within the county of placement. Requires the county of placement to review, with consultation from the child's foster parents, and determine eligibility for the Medi-Cal health program within one day of placement.

2007 Cal. Stats., SB 703, Chap. 583
Requires the state to provide reports of known or suspected child abusers to a tribal court or tribal child welfare agency of a tribe or consortium of tribes that has entered into an agreement with the state with regard to any person who is an applicant for licensure or any adult who resides or is employed in the home of an applicant for licensure. Requires notice of certain hearings be provided to the child's current caregiver, including foster parents, relative caregivers, pre-adoptive parents and nonrelative extended family members. Requires the Children and Family Services Division to check out-of-state abuse and neglect registries on any person age 18 or older who is living in the home of a family applying for licensure and who has lived out of state within the past five years.

2007 Cal. Stats., AB 1453, Chap. 466
Requires the Children and Family Services Division to convene a workgroup, and authorizes funding for a study of the reform of foster group home care to improve outcomes for foster children, with the specific objective of expediting permanent family placements for youth in group homes.

2007 Colo. Sess. Law, SB 64, Chap. 69
Establishes a Task Force on Foster Care and Permanence in the Department of Human Services that is charged with identifying and recommending solutions to problems in the state's foster care and adoption systems. Requires the Task Force to meet monthly to consider how to ensure that children are placed in permanent homes, how to better evaluate foster parents, how to better provide information to foster and adoptive parents regarding a child's behavior, how to ensure that adoption subsidies are sufficient for the child's needs and how to improve the permanency rate for older children; they also must consider the creation of a mediation process. Mandates a report by May 31, 2008.

2007 Ga. Laws, SB 188, Act 344
Declares the General Assembly's findings that it is in the best interest of Georgia's child welfare system to acknowledge foster parents as active and participating members of the system. Requires that the Foster Parents' Bill of Rights be given full consideration when policies regarding foster care and adoptive placement are developed. Provides foster parents with the right to file a grievance in response to any violation of the Bill of Rights. Instructs the Division of Family and Children Services to incorporate the Bill of Rights into contracts with private agencies.

2007 Iowa Acts, SF 503, Chap. 172
Regarding the interstate placement of children in foster care, requires that the most recent information available regarding the child's health and education records be provided to the child's foster care provider and that the department responsible for placement of a child out of state visit the child at least once every six months. Revises the time frame for department employees to visit and inspect licensed child-placing agencies from once every six months to once every 12 months. Requires prospective foster parents to provide fingerprints to the Department of Public Safety for state and national criminal history checks. Allows for the provisional licensure of prospective foster parents who have passed criminal and child abuse record checks. Provides any foster parent, relative or other individual with whom a child has been placed for pre-adoptive care the right to be heard and submit testimony in any proceeding involving the child.

La. Acts 2007, SB 91, Act 122
Adds to foster parents' rights the right to uniform treatment by the Department of Social Services throughout the state. Requires that foster parents receive written information explaining their rights and duties. Includes in the department's legal and administrative duties the responsibility to provide information to foster caregivers about their rights.

2007 Me. Laws, SB 333, Chap. 320
Permits adult parents to reside with their children in a residential child care facility to facilitate the care of the child when the Department of Child and Family Services has determined it to be in the child's best interests.

2007 Me. Laws, SB 633, Chap. 255
Repeals the Interstate Compact on the Placement of Children adopted in 1961 and replaces it with the new Interstate Compact for the Placement of Children of 2006.

2007 Md. Laws, HB 397
Creates an Eastern Shore Task Force on Foster Care to consider incentives and make recommendations that will enhance foster care recruitment and retention and to consider the hiring of a permanent staff person in each local Department of Social Services to recruit, retain and support foster care parents.

2007 Minn. Laws, HB 1078, Chap. 147
Expands the definition of reasonable efforts to prevent foster care placement to include the consideration of permanent alternative homes for the child inside or outside of the state.

Requires compliance with new procedures for the orderly and timely interstate placement of children, including completion of a home study within 60 days of receiving the request from another state.

Requires home visits and reports by an agency caseworker at least every six months for a child placed in out-of-state foster care.

Clarifies the process and requirements for trial home visits. Identifies the documentation required during child-specific recruitment efforts to promote adoption. Instructs the agency to provide a current copy of the child's health and education records, upon discharge from foster care, to the parent, adoptive parent or permanent legal and physical custodian, as appropriate, and the child, if appropriate.

Clarifies the process and requirements for voluntary placement when a child is developmentally disabled or emotionally disturbed and needs placement in a residential facility for the sole reason of accessing services or a level of skilled care that cannot be provided in the parent's home.

Outlines the disqualifying factors for foster home or adoption approval, and provides a process for the reconsideration of a licensing denial based upon a negative background check. Instructs the commissioner to work with counties to determine the cost and propose an ongoing funding allocation to cover the cost of implementing an annual license review for licensed family child care providers.

2007 Mo. Laws, SB 25
Sec. 210.566. Requires that the Children's Division and its contractors recognize foster parents as colleagues on the child welfare team and that they be treated in a manner consistent with the National Association of Social Workers' ethical standards of conduct. Requires that foster parents treat the children in their care, the child's birth family and members of the child welfare team ethically. Requires that the Children's Division and its contractors provide written notification of rights at the time of initial licensure and at the time of each licensure renewal.

Requires the Children's Division to provide regularly scheduled pre-service training and opportunities for pertinent in-service training, as determined by the Missouri State Foster Care and Adoption Advisory Board. Requires the Children's Division and its contractors to disclose information to foster parents, prior to placement, about all of a child's medical and psychiatric conditions and criminal background, and information about the child's family. Requires the division to keep a file on caseworkers who knowingly provide false information to acquire placements. Clarifies that foster parents shall be notified in a timely manner of all team meetings and staffings concerning their licensure status or children placed in their homes. Requires foster parents to follow procedures established by the state to request and use respite care. Allows foster parents to share information about the child with appropriate practitioners for medical and psychiatric care and with school personnel for securing safe and appropriate education.

Clarifies that visitation should be scheduled at a time convenient to everyone whenever possible. Requires that the Children's Division provide training for foster parents that addresses the cultural needs of children and training on policies and procedures governing the licensure of foster homes, the provision of foster care and the adoption process. Requires that the foster parents use discipline methods consistent with Children's Division policy.

Requires that foster parents give two weeks' notice when requesting removal of a child from their home. Allows former foster parents first consideration for placement of a child if that child re-enters the foster care system. Allows foster parents 60 days from the caseworker's initial query to decide whether they want to adopt the child.

Requires the Children's Division and its contractors to provide access to a fair and impartial grievance process.

2007 Mont. Laws, HB 57, Chap. 165
Requires the Department of Public Health and Human Services to purchase personal injury and property insurance for foster parents providing foster care for youth younger than age 18 placed by a state agency. Appropriates a $70,000 general fund for this purpose for fiscal years 2008 and 2009.

2007 Mont. Laws, HB 91, Chap. 166
Sec. 2. Requires that the Foster Care Review Committee consider whether a placement is appropriate and in the best interests of the child if the child has been placed out of state. Requires that if the child will not be returned to the parent(s), the committee will review both in- and out-of-state placements.

2007 Nev. Stats, AB 147, Chap. 274
Sec. 1. Provides that children younger than age 3 placed in protective custody may not be placed in a child care institution unless appropriate foster care is unavailable in the county in which the child resides, the child requires medical services that cannot be provided at any other placement or it is necessary to avoid separating siblings. Provides that children younger than age 6 placed in protective custody may not be placed in a group shelter that provides care and supervision to more than 16 children.

Sec. 3. Requires the court to establish a plan, with an agency that provides child welfare services, for the transfer of a child who has been placed in a child care institution to another placement under certain circumstances.

2007 Nev. Stats, SB 247, Chap. 245
Creates the Nevada Youth Legislative Issues Forum to review and comment on foster care issues.

2007 Nev. Stats, SB 356, Chap. 290
Sec. 4. Requires the Nevada legislature to appoint a subcommittee to conduct a study addressing the placement of children in foster care and methods for reducing the number of children placed in foster care.

2007 Nev. Stats, SB 399, Chap. 161
Requires the Division of Child and Family Services to coordinate with and assist each nonprofit and community-based organization that provides child welfare services on recruiting, training and licensing family foster care providers.

2007 Nev. Stats., AB 507, Chap. 303
Sec. 1, 6, 12, 13, 14. Requires that certain facilities that have physical custody of children pursuant to the order of a court ensure that employees who come into direct contact with children in the facilities receive training.

Sec. 2. Requires an annual inspection of certain facilities located outside the state that have physical custody of children from the state.

Sec. 10. Makes various changes concerning the annual inspections of certain facilities that have physical custody of children pursuant to an order of the court.

2007 N.Y. Laws, SB 4551, Chap. 327
Clarifies that the plan of "another planned permanent living arrangement" must include documentation of the child's significant connection to an adult who is willing to be a permanency resource for the child.

2007 N.D. Sess. Laws, HB 1390, Chap. 419
Requires the Department of Children and Family Services to provide financial liability coverage for every licensed family foster care home for property damage that the foster child may cause. The department may provide coverage through self-insurance and may provide for exclusions.

2007 Ore. Laws, SB 282, Chap. 801
Requires the Department of Human Services to promulgate rules related to the payment standards for foster care. Requires the department to take into account the income, resources and maintenance available to and the necessary expenditures of a foster parent who is a relative of the child placed in care.

2007 Ore. Laws, SB 409, Chap. 235
Allows the court to direct the Department of Human Services to place a child with parents, relatives or another foster care provider.

2007 Ore. Laws, SB 413, Chap. 238
Requires that the Department of Human Services submit a report providing the number of children in foster care, the number who have been in more than one foster care placement, the number of placements for each child who has had more than one placement, the percentage of foster children placed apart from siblings, the number of placement changes experienced by foster children, and the number and percentage of children placed with relatives. The department also must submit its Status of Children in Oregon's Child Protection System annual report. The department must submit the reports to the appropriate legislative interim committees dealing with child welfare matters. Requires submission by November 1 each year.

2007 Ore. Laws, HB 2190, Chap. 611
Requires Oregon to follow federal requirements concerning background checks for people applying to be adoptive or foster parents or anyone else residing in the home. Requires a local citizen review board to make written findings concerning whether the Department of Human Services made reasonable efforts to place a child through an interstate compact. Requires the court to share information with another state's court to facilitate interstate placement. Requires the case plan for a child in substitute care to have up-to-date health and education records for the child. Requires the department to report whether a child in foster care outside the state has been visited no less frequently than every six months by a state or private agency in the other state. Requires the court to consider both in-state and out-of-state placement options. Allows an out-of-state party to testify and provide information in an interstate placement proceeding by telephone or other electronic means.

2007 R.I. Pub. Laws, SB 820, Chap. 23
Clarifies the criminal record background check requirements that must be met before the issuance of a foster care license. Allows the Department of Human Services to authorize the placement of a child in a prospective foster home pending licensure for a set period with certain conditions. Requires the department to file a family court petition seeking authorization to allow a child to remain in a foster home pending completion of the licensing process, if the department is unable to complete the licensing process within the specified period. Requires notice of such petitions to be provided to the Office of the Child Advocate, children(s)' parent/guardian and Court-Appointed Special Advocate attorney.

2007 Tex. SB 322, Chap. 366
Prohibits the Department of Family and Protective Services from prohibiting lawful possession of firearms and ammunition of any type in a foster home. Allows the department to adopt minimum standards for safety and proper storage.

2007 Tex. SB 450, Chap. 506
Sec. 2. Requires a court order to authorize the enrollment of a foster child in a drug research program, unless the person requesting authorization is the foster child's parent and the person has been authorized to make medical decisions for the child. Before issuing the order, the court must appoint an independent medical advocate and review the report filed by the advocate concerning whether the child should enroll. Requires the court to consider whether the person conducting the drug research program informed the foster child in a developmentally appropriate manner of the expected benefits of the program, potential side effects and available alternate treatments and received the foster child's assent to participate in the program.

Allows the independent medical advocate to conduct an investigation regarding the child's participation in a drug research program to determine the best interests of the child, to determine whether the foster child assented to participation and to obtain and review copies of the foster child's relevant medical and psychological records. Requires the advocate to interview the foster child if he or she is age 4 or older, the foster child's parent and the drug research program medical team.

2007 Tex. SB 758, Chap. 1406
Sec. 1. Makes children in the custody of the Department of Family and Protective Services eligible for pre-kindergarten.

2007 Tex. SB 758, Chap. 1406
Sec. 18. Requires court approval for a child in foster care to travel outside the United States.

2007 Tex. HB 2580, Chap. 727
Sec. 1. Allows the Department of Family and Protective Services to designate a child's foster parent, or the child's parent if the parent's rights have been terminated, to provide consent to medical care for a child in care.

2007 Tex. HB 2702, Chap. 267
Sec. 15. Instructs the Department of Family and Protective Services, when making a placement decision for a child younger than age 2, to give priority to a person who will provide care without disruption until the child is returned to his or her parents or adopted.

Sec. 30. Establishes a Committee on Licensing Standards to review, analyze and make recommendations for policy and statutory changes related to licensing standards and facility inspections. The committee review shall include analysis of the deaths of children in substitute care, types of licensing violations, administrative reviews and appeals, and the technical assistance received.

Sec. 32. Outlines requirements for the unannounced annual inspection of residential child care facilities. Directs the department to investigate any report of a serious incident in an agency foster home or group home involving a child younger than age 6, including an investigation of any alleged violation of a minimum standard.

Sec. 36. Requires an agency foster home that is transferring cases to another child-placing agency to notify that agency of any licensing violations.

2007 Va. Acts, SB 1332, Chap. 840
Adds children requiring mental health services to prevent foster care placement to the list of children eligible for public or private nonresidential or residential services for troubled youth and families funded by the state pool of funds allocated to the community policy and management teams.

2007 Wash. Laws, SB 5321, Chap. 220
Requires the state to notify foster parents about the history and level of risk associated with the children they take into their homes. Provides that a foster parent can be held responsible for failure to supervise a child in their home only if the foster parent has been provided with information or has prior knowledge of the child's behavior and need for supervision.

Investigations

2007 Ariz. Sess. Laws, SB 1158, Chap. 156
Requires caseworkers to contact the appropriate agency in another state if the worker becomes aware of an allegation of abuse or neglect in another state.

2007 Ariz. Sess. Laws, HB 2263, Chap. 43
Mandates that child protective service (CPS) workers must inform the family under investigation, both verbally and in writing, (1) that the family is under investigation, (2) of the specific allegation against them, (3) that the CPS worker has no authority to compel the family to cooperate or accept services, (4) of the family's right to participate in a mediation program and to file a complaint with the Ombudsman-Citizen Aide, (5) of information on state laws and the family's right to appeal.

2007 Ark. Laws, SB 303, Chap. 703
Sec. 5. Creates the Arkansas Child Safety Center Act to provide a comprehensive, multidisciplinary, nonprofit and coordinated response to the investigation of child sexual abuse and serious physical abuse in child-focused and child-friendly facilities known as Child Safety Centers. Specifies that the centers provide a location for forensic interviews and forensic medical and mental health exams during child maltreatment investigations.

Requires the promulgation of rules and procedures to implement the centers, a uniform system of record-keeping and reporting and an annual evaluation of each center. Specifies receipt of money and disbursement of funds. Outlines duties and required background and training of physicians and mental health professionals staffing the centers. Details program requirements and the eligibility of outside agencies with whom the centers may contract to provide services.

Requires the establishment of an interagency memorandum of understanding among the Divisions of Children and Family Services, the Crimes Against Children Division of the Arkansas state police, law enforcement and the prosecuting attorney. Outlines admissibility of statements by child abuse victims and immunity from civil liability. Requires an annual report to the legislature.

Sec. 18. Requires the Arkansas Child Abuse/Rape/Domestic Violence Commission to develop a statewide model protocol for local multidisciplinary teams for the investigation and provision of safety and services for child abuse. Requires the commission to establish a Subcommittee on Child Safety Centers to oversee the Arkansas Child Safety Centers.

2007 Ill. Laws, SB 108, P.A. 95-443
Expands the definition of "neglected child" to include a child (1) who has been provided with crisis intervention services, (2) whose parent or guardian refuses to permit the child to return home, (3) for whom no other living arrangement agreeable to the parent or guardian can be made and (4) whose parent or guardian has not made other appropriate living arrangements for the child, unless the minor is an immediate physical danger to himself or others living in the home.

Specifies the requirements for temporary shelter for such minors and the process for filing a report of neglect and taking temporary prospective custody. Requires the Department of Children and Family Services to secure a minor's immediate admission to a mental health facility, arrange for law enforcement authorities to take temporary custody or take other appropriate action to assume protective custody when it has been determined that the minor is not a neglected minor because the minor is an immediate physical danger to himself, herself or others living in the home.

2007 Me. Laws, HB 1051, Chap. 132
Sets standards and guidelines for interviewing children who are subjects of a child protective intervention at school. Permits the Department of Child and Family Services caseworker to discuss the circumstances of the interview and any relevant information regarding the alleged abuse or neglect with the child's teacher, guidance counselor, school nurse, social worker or principal. Prohibits school officials from placing any conditions on the department's ability to conduct the interview so that the department can conduct interviews in a manner consistent with good forensic practice.

2007 Me. Laws, SB 194, Chap. 335
Allows the release of child protective information to a parent, custodian, caretaker or legal guardian of a child who is the subject of a child protective action within the Department of Health and Human Services. Permits that parent, custodian, caretaker or legal guardian to release that information, with certain conditions. States that the recipient of any information in the record may not further disseminate or disclose the information.

2007 Minn. Laws, HB 1078, Chap. 147
Clarifies the role and coordination of local child welfare and local law enforcement agencies in relation to the investigation of allegations of sexual abuse.

2007 Nev. Stats, SB 356, Chap. 290
Sec. 2. Requires that the Division of Child and Family Services adopt regulations establishing uniform standards for determining whether immediate action is necessary to protect a child from injury, abuse or neglect.

2007 N.Y. Laws, SB 4009, Chap. 452
Amends social services law to allow for the establishment of differential-response programs for child protection assessments or investigations. Provides the process by which counties can apply for implementation approval from the Office of Child and Family Services, and outlines the procedures that must be followed when implementing such a system.

2007 Ore. Laws, HB 3113, Chap. 781
Requires the Department of Human Services and a law enforcement agency to jointly determine their respective roles in conducting an investigation of child abuse after either one has received a report of child abuse at a child care facility. The department and law enforcement agency must report their outcomes to the Child Care Division.

2007 Tex. Laws, SB 723, Chap. 524
Sec. 2. Requires the peace officer investigating or responding to a call involving family violence to check the address for a match with a current licensed or verified agency foster home listed in the Texas Crime Information Center.

Sec. 3. Requires the officer to report such matches to the Department of Family and Protective Services.

Sec. 4. Requires the department to adopt rules on actions to be taken after receiving a notice of such a family violence report.

Sec. 6. Requires the department to maintain a database of licensed and verified agency foster homes to be made available to the Department of Public Safety for law enforcement use.

Sec. 7. Requires the department to obtain information on each family violence call in the past 12 months before issuing a license, registration or verification certificate for a foster home.

2007 Tex. Laws, HB 2702, Chap. 267
Sec. 29. Mandates that the Department of Family and Protective Services employ at least one specially trained investigation safety specialist to review and evaluate child maltreatment reports with a higher risk of harm to the child and provide specialized guidance and resources to assist such investigations. Authorizes the department to employ at least one risk analyst to review facilities and child-placing agencies, and their monitoring and inspection reports, whose histories indicate potential for a higher risk of harm to children in their care and to identify any additional action necessary. Instructs the department to require that the performance management unit conduct quality assurance reviews of randomly selected monitoring and inspection reports.

2007 Vt. Acts, HB 148, Chap. 77
Provides for the confidentiality of identifying information about either the person making a report of child abuse or neglect or any person mentioned in the report. Allows a child care provider regulated by the Department for Children and Families to be present as a "disinterested adult" when a child interview takes place without the approval of the child's parents, guardian or custodian. Requires that a child abuse and neglect investigation ensure the safety of both the child(ren) victims and any other children who may be at risk if the alleged abuse was committed by someone who is not a member of the subject child's household. Identifies the circumstances under which the department must report to and request assistance from law enforcement. Sets forth the conditions that must be met for a substantiated report to be listed on the child abuse and neglect registry. Details the requirements for notifying a person alleged to have abused or neglected a child, the content of such notification and the process and requirements for challenging placement on the registry. Allows for registry records to be provided to employers who provide transportation services to children or vulnerable adults, as appropriate. Instructs the Commissioner of the Department for Children and Families to perform a study regarding interstate criminal background checks.

2007 Va. Acts, HB 1066, Chap. 868
Defines as child abuse a parent or other person responsible for a child's care creating a substantial risk of physical or mental injury by knowingly leaving a child alone in the same dwelling with a person not related to the child who is a convicted violent sex offender.

2007 Va. Acts, HB 2319, Chap. 479
Creates "Abraham's Law," which states that a decision by a parent or person with legal authority for a child to refuse medical treatment for a child with a life-threatening condition is not deemed as refusal to provide necessary care if such a decision is made jointly with a child age 14 or older, the parents and the child have considered alternative treatment options and they believe in good faith that the decision is in the child's best interest.

2007 Wyo. Sess. Laws, SF 0025, Chap. 72
Provides additional penalties for driving under the influence with a child passenger in the vehicle. Defines "imminent danger" of a child to include driving under the influence with a child passenger.

Kinship Care

2007 Ark. Laws, HB 2256, Chap. 621
Enacts the Arkansas Subsidized Guardianship Act of 2007, contingent upon adequate funding and appropriation, which would provide a subsidy to caregivers of children who have been removed from parental custody, for whom permanent placement with a guardian is in their best interest and for whom neither adoption nor reunification are possible. Stipulates that the subsidy amount cannot exceed the current foster care board rate.

2007 Cal. Stats., AB 298, Chap. 565
Provides support and priority for relative caregivers of children under the jurisdiction of the juvenile court. Requires the child welfare agency to give relatives information about permanency options. States that the child welfare agency cannot remove a child from the home of a relative solely on the basis of the relative's preference of legal guardianship over adoption. Requires the child welfare agency to provide family reunification services to a relative prior to removing a child from their home.

2007 Cal. Stats., AB 714, Chap. 108
Authorizes the state, in the case of a disrupted adoption, to search for relatives of the child and to provide them with information on the child if doing so will benefit the child's well-being.

2007 Conn. Acts, SB 1152, P.A. 07-8
Increases short-term, unlicensed placement options for children, allows the Department of Children and Families to place half- and step-siblings with an unlicensed caregiver who is related to at least one of the children and lowers the minimum age for placing children temporarily with unlicensed family friends or other responsible adults who already know the child.

2007 Conn. Acts, HB 7037, P.A. 174
Sec. 1. Requires the Commissioner of the Department of Children and Families to provide a relative caregiver who is receiving a guardianship payment for a related child and is also caring for the child's sibling with a guardianship subsidy for the sibling if the sibling has been in foster care for not more than 18 months.

2007 Hawaii Sess. Laws, SB 1916, Act 204
Extends the Joint Legislative Committee on Family Caregiving. Provides a broader definition of "family caregiver" by including grandparents who are caregivers for grandchildren who are age 18 or younger or age 19 or older with physical or cognitive limitations. Appropriates funds to supplement the development of the Aging and Disability Resource Center Program, expand the state long-term care (Kupuna Care) program's in-home and access services and provide direct services to family caregivers.

2007 Idaho Sess. Laws, SB 1061, Chap. 72
Makes guardianship available as a permanent placement option for children under the jurisdiction of the Child Protective Act. States that currently such guardianships are not available because of Idaho law, which deems the guardianships too susceptible to modification or termination after the close of the Child Protective Act case and therefore not meeting the requirement of permanency. Intends to make guardianships more permanent so that they can be ordered as a final placement more often, children will be more likely to qualify for federal funding and the possibility that a guardianship might be used to go around the court's jurisdiction in a Child Protective Act case can be eliminated.

2007 Me. Laws, SB 170, Chap. 284
Allows for a person who served as the guardian, permanency guardian or legal custodian of an incapacitated person when the incapacitated person was a child, to serve as permanency guardian or receive a permanency guardianship subsidy if the person was actively serving in that capacity immediately before the incapacitated person's 18th birthday.

2007 Miss. Laws, HB 885, Chap. 480
Requires, upon court order, that the parent(s) reimburse(s) the Department of Family and Children's Services for any kinship care payments made on behalf of his or her child. Allows the department to make monthly kinship care payments to help defray a relative's expenses for room and board. The department may continue those payments after the department relinquishes legal custody to the relative.

2007 Mont. Laws, SB 31, Chap. 496
Creates a procedure in which caretaker relatives may maintain custody in cases in which parents abandon their children. Caretaker relatives, upon the return of the parent, retain rights to a continuing custody affidavit, a review, a finding and order by district court, limited reconsideration and immunity. Provides for an ex parte order by district court. Allows the caretaker relative to retain custody of the child for five days after the return of the parent. Requires that peace officers may not remove the child with the exception of certain circumstances. Provides civil and criminal immunity for the caretaker relative.

2007 Mont. Laws, SB 48, Chap. 393
Allows relatives who care for children temporarily surrendered by their parents the power to approve medical care under certain conditions. Provides for a caretaker relative medical authorization affidavit. Provides immunity to public or private health care providers and public or private school officials.

2007 Mont. Laws, SB 49, Chap. 442
Allows relatives who care for children temporarily surrendered by their parents the power to enroll a child in school, discuss certain school-related matters and consent to school-related medical care. Provides an educational authorization affidavit to a caretaker relative. Provides for immunity to a public or private entity or individual.

2007 Okla. Sess. Laws, SB 469, Chap. 94
States the intent of the Legislature that every attempt be made to place a child with a member of the child's family.

2007 Ore. Laws, SB 414, Chap. 806
Sec. 3. Recognizes the importance, as a matter of state policy, of a child's relationship with parents, siblings and other relatives.

Sec. 4. Requires that a court make written findings when a child is removed from the home concerning whether the Children, Adults and Families Division made reasonable efforts to place the child with a relative.

2007 Tex. SB 723, Chap. 524
Sec. 1. Requires the Department of Family and Protective Services to keep a record of each child placement that failed solely because the relative or designated caregiver could not afford to care for the child. Requires the department to document, if possible, the amount of money to which the caregiver would be entitled and the amount of assistance that would have made the placement affordable to the caregiver. Requires this information to be included in the annual report to the legislature.

2007 Va. Acts, SB 48, Chap. 360
Directs local boards to determine whether a child has a relative eligible to become a kinship foster parent who will be eligible to receive payments at full foster care rates and will be eligible for all services related to foster care placement.

2007 Wash. Laws, HB 1377, Chap. 412
Authorizes placement of a child who is in the custody of the Children's Administration with a non-relative who meets certain criteria. Expands the list of relatives who may receive and care for a foster child to include second cousins and relatives of any half-sibling. Gives placement preference to any person who has a preexisting relationship with the child, as long as certain conditions are met. Establishes preference for placement with a relative, and requires a child-placing entity to follow the wishes of the parent regarding placement of the child.

Oversight/Administration

2007 Cal. Stats., AB 340, Chap. 464
Requires the Children and Family Services Division to establish a pilot program creating a unified, statewide process for licensing kinship, foster and adoptive homes.

2007 Cal. Stats., AB 921, Chap. 502
Allows an applicant for or recipient of public social services who is dissatisfied with certain actions of the county welfare department to file a request for a hearing beyond the 90-day cutoff in cases in which the Director of the Department of Social Services determines that there is good cause. Sets protocol for how these requests and subsequent hearings should be handled.

2007 Fla. Laws, HB 29, Chap. 149
Sec. 1. Authorizes the statewide Guardian Ad Litem Office to create a nonprofit direct-support organization to conduct programs and activities; raise funds, request and receive grants and gifts; make expenditures for the statewide office; and hold, invest and administer securities, funds, etc. Requires the direct-support component to contract with the statewide office. Sets requirements for the Board of Directors, and requires an annual audit.

2007 Fla. Laws, HB 509, Chap. 151
Sec. 1. Creates a Children and Youth Cabinet in the Executive Office of the Governor to develop and implement a shared vision among the branches of government to improve child and family outcomes and to provide a continuum of services that benefit children from prenatal age to transition to self-sufficient adulthood. Requires the cabinet to promote interdepartmental collaboration and program implementation to ensure that all services for children and youth are planned, managed and delivered in an integrated way.

Requires the cabinet to meet at least six times a year in different regions of the state to solicit public input and testimony. Requires that members include representatives from the state agencies responsible for child welfare, juvenile justice, persons with disabilities, education, health, workforce, guardian ad litems and child abuse prevention and from advocacy organizations. Sets membership and duties. Requires the development of a strategic plan by Dec. 31, 2007; the development and implementation of measurable outcomes for each state department; and regular progress reports.

Requires the creation of a child and youth impact statement for evaluating proposed legislation and requests for appropriation and programs.

Requires the identification of existing and potential funding streams and resources for children's services and a youth-based budget structure. The goal of the youth-based budget structure is to facilitate improved coordination among youth- and child-related services and to maximize federal financial participation. Allows the governor to appoint an advisory board to assist the cabinet. Requires an annual report to the governor, legislature and public by February 1 of each year.

2007 Fla. Laws, HB 1309, Chap. 2007-124
Sec. 1. Redesignates the Office of Child Abuse Prevention as the Office of Adoption and Child Protection to establish a comprehensive statewide approach for the promotion of adoption, support of adoptive families and implementation of child abuse prevention efforts.

Requires the office to advise the governor and the legislature on statistics related to the promotion of adoption, support of adoptive families and child abuse prevention trends, status of current programs and services, funding and development and implementation of a state strategy.

Requires a report by January 1 of each year to the governor, the legislature and relevant state agencies to include a summary of adoption data, child abuse prevention data and the timeliness of the adoption process for children adopted from the child welfare system.

Adds an adoptive parent who has adopted a child from the state child welfare system to the Child Abuse Prevention and Permanency Advisory Council.

Requires each district of the Department of Children and Families to develop a plan for its geographic area, to be submitted to the Advisory Council. Requires the district plan to include information on the number of children in the child welfare system available for adoption who need child-specific adoption promotion plans; a description of programs currently promoting and supporting adoptive families, including information on impact, cost-effectiveness and sources of funding; and a description of a comprehensive approach for providing post-adoption services.

Sec. 2. Allows the Office of Adoption and Child Protection to establish a direct-support organization to assist the state in promoting adoption, support for adoptive families and prevention by raising money and submitting requests for funding from federal, state, private foundations and individual sources.

Requires the department to collect and maintain data and records to evaluate the effectiveness of the program.

2007 Fla. Laws, SB 1394, Chap. 174

Sec. 1. Authorizes the Department of Children and Families to begin the process of reorganization. Requires the department to integrate substance abuse and mental health programs into the overall structure of the department. Allows the organization to align with judicial circuits and to phase in changes. By Jan. 1, 2008, requires a detailed report on the reorganization, to include a plan for the realignment of districts.

Allows the department to establish community partnerships at the request of local community-based services, through community participation. Allows the department to establish a community partnership advisory group at the state level as necessary to enhance communication and liaison with stakeholders, community leaders and client representatives.

2007 Ill., Laws, HB 617, P.A. 95-527

Requires the Department of Children and Family Services to provide the department's Inspector General with a report on the status of any corrective actions taken based on recommendations from the Inspector General's investigations of allegations of misconduct or violations of rules, procedures or laws by any department employee, foster parent, service provider or contractor.

2007 Ind. SB 328, Chap. 138

Sec. 46. Requires the Department of Child Services to establish at least three citizen review panels in accordance with the requirements of the federal Child Abuse Prevention and Treatment Act, As Amended (CAPTA). Sets membership and confidentiality requirements. Requires one panel to be either the statewide Child Fatality Review Committee or the local Child and Family Review Team. Requires one panel to be the Foster Care Advisory Panel.

Requires the panel to evaluate the extent to which a child welfare agency is effectively discharging its responsibilities by examining policies and procedures, specific child protective service cases and other criteria.

Sec. 94. Requires the department to adopt written policies governing administrative reviews and hearings related to substantiated determinations of child maltreatment, including the availability of judicial review of final departmental decisions.

2007 Ky. HJR 137, Chap. 61
Directs the Cabinet for Health and Family Services to provide resources and support for the Cabinet's Office of the Ombudsman to track and report on trends in the receipt, review and resolution of citizen complaints regarding child protective services.

2007 Me. Laws, SB 484, Chap. 137
Requires the Commissioner of Health and Human Services to arrange for, oversee and evaluate the results of a study regarding the care of children who require the services of the state to achieve or restore permanent family relationships and to ensure appropriate education, health and well-being. Instructs the Commissioner to convene a working group consisting of at least three providers of children's services and three persons experienced in advocacy for the interests of children to assist in selecting the study evaluator and provide information and suggestions regarding the scope and design of the evaluation.

2007 Nev. Stats., AB 263, Chap. 330
Sec. 8. Requires the Division of Child and Family Services to evaluate child welfare services provided in the state. Provides that the division require corrective action against an agency that provides child welfare services but fails to comply with federal or state laws related to the provision of those services.

2007 Nev. Stats., AB 629, Chap 348
Approves funding for the legislative auditor to contract with a consultant to conduct a performance audit of each child welfare agency in the state.

2007 N.H. Laws, HB 86, Chap. 158
Establishes a committee to study educational and social services programs that serve families with children age 6 and younger to assess the degree to which existing programs meet the needs of these families and increase awareness and understanding of existing programs.

2007 Ore. Laws, HB 2175, Chap. 444
Sec. 2. Gives the Department of Human Services authority to use abuse and neglect reports to provide protective services and screen employees, providers and volunteers. Creates notice and opportunity for hearing rights for employees, contractors and volunteers. Limits the use of abuse and neglect records from disclosure other than for purposes outlined in legislation.

Sec. 3. Directs the department to convene a committee to develop recommendations for screening employees and persons who are licensed, certified, registered or otherwise regulated by the department to provide care. Directs the department to adopt rules to carry out the authority to use abuse and neglect records. Proposes that the department submit an implementation plan.

2007 Tex. HB 2702, Chap. 267
Sec. 51. Requires the Department of Family and Protective Services to develop a child protective service improvement plan that builds on the reform added under Chapter 268 of the 2005 Regular Legislative Session to keep families together and children safe, reduce the length of time children remain in care and improve the quality and accountability of foster care. The plan must include, if funds are available, expanding family group decision making; reducing caseloads; implementing an enhanced in-home support program; enhancing support of kinship placements; enhancing court services and preparation of records for adoptive placements; improving quality and accountability of child care licensing, monitoring and investigations; streamlining criminal history background checks; and expanding implementation of a remediation plan to address racial disparities in foster care. Requires a report and detailed plan, and periodic progress reports.

2007 Vt. Acts. SB 177, Chap. 68
Creates a commission to address issues of childhood poverty and provide for public and private funding. Proposes the development of a legislative council to inventory and assess the impact and scope of child poverty and related programs and to develop a 10-year plan to reduce the number of children living in poverty.

2007 Wash. Laws, HB 1333, Chap. 410
Requires the Joint Legislative Audit and Review Committee to analyze gaps throughout the state in the availability and accessibility of services identified in the federal Adoption and Safe Families Act.

2007 W. Va. Acts, SB2007, Act. 9
Transfers the duties and powers of the Governor's Cabinet on Children and Families to the Bureau for Children and Families. Transfers control of the Children's Trust Fund from the Governor's Cabinet on Children and Families to the Bureau for Children and Families.

Sec. 49-6C-1: Continues the Children's Trust Fund and renames it the West Virginia Children's Trust Fund, to be administered by the Commissioner of the Bureau for Children and Families.

Allows a voluntary state income tax check-off contribution by taxpayers to the Children's Trust Fund. Requires the Legislative Auditor to conduct an audit of the fund by July 1, 2008, and at least every three fiscal years thereafter.

Allows the Commissioner of the Bureau of Children and Families to award grants, loans and loan guarantees from the Trust Fund.

Sec. 49-6C-2. Establishes family resource networks as local community organizations charged with service coordination, needs and resource assessment, planning of community mobilization and evaluation. Prohibits the networks from providing direct services. Requires the networks to include representatives of local service agencies. Requires family representatives to be the majority of the members of the governing body of the network. Requires the network to address a geographic area of two or more contiguous counties and to engage in activities to improve service systems for children and families in the community.

Article 9, sec. 49-9-3. Establishes the Missing Children Information Clearinghouse under the administration of the West Virginia State Police. Creates a clearinghouse advisory council. Sets membership and duties.

2007 W. Va. Acts, HCR 40
Requests the Secretary of the Department of Health and Human Services to establish a Children's Services Redesign Group to propose a redesign of the state's children's services system. Requests that membership represent all stakeholders in the child-serving community. Proposes that the group develop a multiyear strategy to integrate existing services by working together in a public/private partnership to propose a system of care that focuses on community-based child abuse and neglect prevention.

Recommends that the group develop a Blueprint for Action with process and implementation measures. Requests a status report annually until 2010.

2007 W. Va. Acts, HCR 42
Continues the work of the Select Committee on Children, Juveniles and Other Matters to comprehensively review the state's child welfare service delivery system within the Bureau of Children and Families. Requires a report to the Legislature in the 2008 regular session on its findings and recommendations.

2007 Wis. Laws, SB 40, Act 20
Establishes the Department of Children and Families under the Secretary of Children and Families, and requires the integration of child welfare, child care, child support and Wisconsin Works (W-2) Services. Funds a 5 percent increase in uniform foster care rates in 2008 and again in 2009. Allows a supplemental payment for a foster child with emotional, behavioral or medical problems.

Prevention/Treatment/Training

2007 Ark. Laws, SB 303, Chap.703
Sec. 4. Recommends a statewide collaboration among local colleges and universities, education service cooperatives, school nurses, counselors and educators to introduce age-appropriate, research-supported child abuse prevention curricula to the children of Arkansas' public schools.

2007 Cal. Stats., SB 104, Chap. 288
Extends the Jan. 1, 2008, sunset date related to establishing crisis nurseries as a category of community care facilities to Jan. 1, 2011, and requires crisis nurseries to submit an annual report to the Department of Social Services.

2007 D.C. Stat. DCR 464, Chap. 390
Provides an emergency resolution to continue the limited grant-making authority of the Director of the Child and Family Services Agency to support the development of a volunteer-based mentoring program.

2007 Fla. Laws, HB 77, Chap. 2007-109
Sec. 1. Enacts the "Keeping Children Safe Act" to protect the safety of abused, abandoned or neglected children from harm during visitation or other contact. Creates a rebuttable presumption of detriment to a child when a parent or caregiver has been the subject of a report involving sexual abuse of a child or is a sexual predator. Requires that such persons may visit or have other contact with a child only after a hearing and a court order. Requires that at such a hearing the court appoint an attorney ad litem or guardian ad litem specially trained in the dynamics of child sexual abuse. Allows the court to receive and rely upon evidence, including written and oral reports, even if the evidence may not be competent in an adjudicatory hearing.

Allows the court to allow visitation or other contact if it finds that the person proves by clear and convincing evidence that the child will not be endangered by the visitation. Requires the court to enter a written order prohibiting or restricting contact if it finds otherwise. Sets conditions for visitation, including supervision. Requires the court to suspend the visitation if advised by a party or participant that a person is attempting to influence the testimony of a child. Requires the court to convene a hearing within seven business days if it is informed by a child's therapist that the visit is impeding the child's therapeutic program.

Sec. 6, 7, 8. Establishes a supervised visitation program that includes contact between a parent or caregiver and one or more children in the presence of a third person responsible for the children's safety.

Establishes a clearinghouse on supervised visitation and exchange monitoring programs. Requires the clearinghouse, within available funding, to set standards for visitation, and requires interim standards until the standards are completed and certified.

2007 Hawaii Sess. Laws, SB 1170, Act 107
Authorizes the transfer of funds from the Temporary Assistance for Needy Families program to the Department of Human Services for the improvement of the Healthy Start Program, including the hiring of a child development specialist or clinical specialist and provider training.

Establishes a children's system of care account within the department to reduce out-of-home placements of high-risk children with multiagency service needs. Provides that the account must address children's care, protection, and mental, social and physical development. Requires that the department use funds to reimburse, for services provided, in-state and community-based providers that allow placements in the least restrictive and most appropriate setting, to the extent that funds cannot come from another source. Authorizes the use of state funds appropriated for Medicaid services. Requires a report.

2007 Md. Laws, HB 1226, Chap. 461

Requires the local Department of Social Services to make a finding of whether the local department made reasonable efforts to prevent placement of a child with a developmental disability or a mental illness by determining whether the child could have been placed in accordance with a voluntary placement agreement, before determining whether a child is in need of assistance.

Allows a court to hold in abeyance a finding on whether such child is in need of assistance and to order the local agency to assess or reassess the family and child's eligibility for a voluntary placement agreement.

Requires each local department to designate a staff person to administer requests for voluntary placement agreements. Requires an annual report on the numbers of requests, outcomes of each request and reasons for each denial.

Requires the department to discuss each child's voluntary placement agreement case with the local coordinating council.

2007 Neb. Laws, L542

Creates the Children's Behavioral Health Task Force, which is charged with developing a statewide integrated system of care for providing educational, behavioral health, substance abuse and support services to both adjudicated and nonadjudicated children and their families. Revises state statute to clarify the treatment plan and assessment time frames, and the case planning and placement process for juveniles who are referred to Youth Rehabilitation and Treatment Centers.

2007 N.J. Laws, SB 1217, Chap. 130

Requires the New Jersey Task Force on Child Abuse and Neglect to educate the public about child abuse and neglect and to develop a statewide plan to prevent child abuse and neglect. Requires them to foster a cooperative working relationship between State and local agencies responsible for providing services to child abuse victims and their families.

2007 N.C. Sess. Laws, HB 424, Chap. 2007-39

Directs the Department of Health and Human Services to study respite care and recommend ways to improve the current respite care delivery system.

2007 N.C. Sess. Laws, HB 485, Chap. 2007-126

Requires the Education Department to adopt policies to ensure that students in grades nine through 12 receive information annually on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, through the Infant Safe Surrender Program.

2007 N.C. Sess. Laws, HB 696, Chap. 2007-130

Updates the laws pertaining to the Family Resource Center Grant Program to ensure that grants are provided to community-based agencies for the implementation of programs that are research based and have been evaluated for effectiveness.

2007 Ore. Laws, SB 379, Chap. 501
Sec. 2. Requires that an education provider give child abuse prevention and identification training to school employees each school year. The legislation noted that the education provider also should provide a separate training to parents and legal guardians.

2007 S.C. Sess. Laws, SB 518, Act 55
Requires that parents of a newborn baby still in the hospital, pre-adoptive parents, child care providers and health care professionals view a video on the dangers of shaking infants.

2007 Tenn. Pub. Acts, SB 293, Chap. 174
Instructs the State Board of Education to develop study material guidelines and instruction methods for providing information regarding the law allowing individuals to voluntarily surrender an unharmed infant age 72 hours or younger at a hospital or other designated location without being subject to prosecution for a violation of certain criminal provisions, such as child abandonment. Urges Local Educational Agencies to include such instruction in the lifetime wellness curriculum for grades nine–12.

2007 Tex. Gen. Laws, HB 662, Chap. 632
Sec. 2. Requires the Department of Family and Protective Services and the Interagency Coordinating Council for Building Healthy Families to develop a statewide, long-range strategic plan for child abuse and neglect prevention services. The plan must include the following:

- A strategy for the state and political subdivisions of the state to reduce their need for services addressing child maltreatment, transition to a system that promotes child abuse and neglect prevention, and use the cost savings to increase prevention services funding in the future; and

- Details regarding child abuse and neglect public awareness efforts and outreach.

Sec. 3. Adds new duties to the Interagency Coordinating Council for Building Healthy Families, including the following:

- To facilitate improvements in the coordination of service delivery among state agencies whose programs and services promote and foster healthy families;

- To provide information and other resources to assist those agencies; and

- To receive input from those agencies to develop and improve policies for the prevention of and early intervention in child abuse and neglect.

The Interagency Coordinating Council for Building Healthy Families also must report findings on the following:

- The potential for streamlined funding mechanisms for programs and services for the prevention of and early intervention in child abuse and neglect;

- Methods for identifying additional opportunities to comprehensively improve service delivery for the prevention of and early intervention in child abuse and neglect;

- The need for increased state funding for programs and services for the prevention of and early intervention in child abuse and neglect to ensure a sustained, long-term, cost-effective investment in families in the state;

- Details regarding the strategic plan for child abuse and neglect prevention services developed by the Department of Family and Protective Services in consultation with the council;
- The council's recommendations regarding implementation of the strategic plan; and
- The council's recommendation regarding whether to continue the council.

The council also must report the status of its findings.

2007 Tex. Gen. Laws, SB 758, Chap. 1406
Sec. 8. Requires the Department of Family and Protective Services to consult with relevant professionals to determine the skills that parents of a child younger than age 2 need to learn so that the child may be safely placed with them. Requires the department to incorporate those skills into its plans as appropriate.

2007 Tex. Gen. Laws, HB 2702, Chap. 267
Sec. 19. Directs the Department of Family and Protective Services, within available funding, to develop a program to strengthen families through enhanced in-home support. The program shall assist low-income families and children in child neglect cases in which poverty is considered to be a significant underlying cause of the neglect and enhancement of in-home support appears likely to prevent removal. Eligible families will receive limited funding. Requires the commissioner to develop rules with eligibility criteria and the maximum amount available to each family. Requires an evaluation.

Establishes the Committee on Pediatric Centers of Excellence related to child abuse and neglect. Sets membership and guidelines for designating Regional Pediatric Centers of Excellence to provide medical expertise to child abuse victims. Requires a report to the legislature.

2007 Wash. Laws, HB 1333, Chap. 2007-410
Orders the Children's Administration to develop a curriculum related to child abuse and neglect, to be included in the basic law enforcement training. Requires the annual training of law enforcement on child abuse and neglect.

2007 Wash. Laws, SB 5830, Chap. 2007-466
Requires the Children's Trust Fund to fund evidence-based and research-based home visitation programs for improving parenting skills and outcomes for children. Directs the Trust Fund to provide programs to address poverty, single parenthood, parental unemployment, disability and lack of education.

2007 Wash. Laws, HB 1128, Chap. 522
Provides one-time funding for the Children's Administration to contract with the Washington Institute of Public Policy to study evidence-based, cost-effective programs and policies to prevent placement in the child welfare system. Requires a report by April 30, 2008.

Racial Disproportionality

2007 Wash. Laws, HB 1472, Chap. 2007-465
Requires the Department of Social and Health Services to convene a Racial Disparity Advisory Committee. Instructs the committee to analyze and make recommendations on racial disparity in the child welfare and juvenile justice systems.

Reporting

2007 Ark. Laws, SB 303, Chapter 703
Sec. 3. Instructs the Department of Higher Education to coordinate with all institutions of higher learning degree programs that are prerequisites for licensure or certification in professions in which individuals are mandated reporters of child maltreatment. The department will ensure that graduates receive training in recognizing the signs and symptoms of child abuse and neglect, legal requirements and duties of mandated reporters and methods for managing disclosure regarding child victims.

Sec. 8. Directs the Division of Children and Family Services to notify mandatory reporters of child maltreatment, within 48 hours, if their call is not accepted or is screened out on a subsequent child abuse reporting hotline supervisor review.

Sec. 9. Specifies procedures for mandatory reporters to make reports via telephone, fax or online reporting. Prohibits schools, Head Start programs or daycare facilities from prohibiting employees or volunteers from directly reporting child maltreatment to the hotline.

Sec. 12. Requires the Administrative Office of the Courts to develop a Web-based curriculum for mandatory reporters.

2007 N.Y. Laws, AB 1693, Chap. 513
Creates "Xcstasy's Law" to require social services workers to file a report when they suspect that a child is being abused on the basis of information provided by a person with personal knowledge of the mistreatment. Xcstasy's Law was created in honor of 4-year-old Xcstasy Garcia, whose abuse was reported to a social service worker who did not report the concern to the New York State Child Abuse Hotline because the worker did not observe the abuse firsthand or learn about it from contact with the child's parents.

2007 N.Y. Laws, SB 3913, Chap. 193
Clarifies social services law to include in the definition of "school official" certain other school employees (including teacher, guidance counselor, psychologist, social worker, nurse and administrator) as those persons required to report cases of suspected child abuse or maltreatment. Prohibits the use of retaliatory personnel action or reporting limitations by agencies or facilities on those employees who believe they have cause to suspect and make a report of child abuse or neglect.

2007 Ore. Laws, SB 379, Chap. 501
Sec. 2. Requires that an education provider give child abuse prevention and identification training to school employees each school year. The education provider also should provide a separate training to parents and legal guardians.

Sec. 4. Requires that the Department of Human Services follow up with a person who reported child abuse regarding whether the department contacted the child, whether the department determined that child abuse occurred, and whether the department will provide services.

2007 Ore. Laws, SB 412, Chap. 237
Requires the Department of Human Services to notify the child's attorney, the child's parents, the court-appointed special advocate to a child and the parents' attorneys when it receives a report that a child in substitute care may have been abused, unless notification may interfere with an investigation or jeopardize the safety of the child. Requires that the department not disclose the name or address of the person making the report of abuse. Delineates that the report must be made in three business days.

2007 Wash. Laws, SB 5839, Chap. 2007-118
Requires child protective services to prepare a statement warning against the false reporting of alleged child abuse or neglect, for inclusion in any instructions, informational brochures, educational forms and handbooks developed for or by the Children's Administration and related to the reporting of abuse or neglect of children. Provides instructions regarding sending a letter to any person determined to have made a false report of child abuse or neglect.

Safe Havens for Infants

2007 Mass. Acts, SB 2177, Chap. 86-2007
Requires the Department of Social Services, in conjunction with the juvenile court, the probate and family court, the Center for Adoption Research at the University of Massachusetts, Massachusetts Families for Kids, the Massachusetts Children's Trust Fund, the Massachusetts Society for the Prevention of Cruelty to Children, the Alliance on Teen Pregnancy and the Department of Early Care and Education, to report every two years on the overall effectiveness of the state's program of safe, voluntary surrender of newborn infants.

2007 N.J. Laws, AB 277, Chap. 143
Requires the Commissioners of Human Services and Education to develop an educational poster and pamphlet on the New Jersey Safe Haven Infant Protection Act and distribute it to all district public schools grades seven–12.

Siblings

2007 Ariz. Sess. Laws, HB 2212, Chap. 72
Sec. 4. Requires the Administrative Office of the Courts to establish a "Sibling Information Exchange Program" to facilitate contact between a former dependent child and the child's sibling(s). Allows those participating in the program to use a confidential intermediary to access court, division and agency records to arrange contact or share information between the person initiating the search and the sibling who is subject of the search. Allows a former dependent child to file an affidavit if he or she does not wish to contact siblings.

Sec. 5. Requires the court to provide notice of the Sibling Information Exchange Program to the former dependent child (who may be an adult) or to a parent or legal guardian of the former dependent child.

2007 Iowa Acts, SB 480 Chap. 2007-67
Defines "sibling" and provides for visitation between children in temporary or permanent out-of-home placement and their siblings. Allows for court review of terminated or suspended sibling visitation. Instructs the Department of Human Services to make reasonable efforts to place siblings together. Instructs the department, when siblings are not placed together, to provide the siblings with the reasons why and the efforts being made to facilitate such placement, or why making efforts for such placement is not appropriate. Instructs the department to make reasonable efforts to provide for frequent visitation or other ongoing interaction between the child and the child's siblings from the time of the child's out-of-home placement until the child returns home or is in a permanent placement. Allows any person who wishes to assert a sibling relationship with a child who is in out-of-home placement and to request visitation with the child to file a court petition.

Allows the court to terminate or suspend sibling visitation if the court determines by clear and convincing evidence that visitation would be detrimental to the well-being of the child or a sibling. Requires the child's permanency plan to document the following: the efforts being made to provide for the child's frequent visitation or other ongoing interaction with the child's siblings; any determination of suspension or termination of sibling visitation or interaction by the court; and, if the child and siblings are not placed together, the reasons why and the efforts being made to facilitate such placement, or why making efforts for such placement is not appropriate. Instructs the agency, in trainings for

prospective adoptive parents, to provide information regarding the importance of sibling relationships to an adopted child and methods for maintaining sibling relationships; provide information regarding the child's siblings; and encourage prospective adoptive parents to plan for facilitating post-adoption contact between the child and the child's siblings. Requires any licensed child-placing agency to keep a record and make reports related to sibling visitation.

2007 Minn. Laws, SB 358, Chap. 49
Requires that any person who is at least age 19 and was adopted or committed to guardianship following a termination of parental rights, be notified of other siblings who were adopted or who were committed to guardianship. Requires that assistance be provided to the person requesting information needed to locate the other siblings.

2007 Ore. Laws, SB 414, Chap. 806
Sec. 3. Recognizes the importance, as a matter of state policy, of a child's relationship with parents, siblings and other relatives.

Sec. 5. Requires the Department of Human Services to make diligent efforts to place siblings together when siblings are removed and placed out of home unless such a placement is not in the best interests of the children. Requires that the department report to the court efforts to place siblings together.

Sec. 6. Allows a court to order visitation by a child's parents and siblings when a child has been removed from home and placed in foster care.

Sec. 9. Requires that the court must enter findings that address whether the department has made diligent efforts to place children with siblings, the number of placements made, the schools attended, face-to-face contact with the assigned caseworker and visits with parents and siblings, and whether the frequency was in the best interests of the child. In addition, the report must include, for a child age 14 or older, whether the child is progressing toward graduation and if not what efforts have been made to assist the child in graduating.

Substance Abuse

2007 Md. Laws, HB 340, Chap. 48
Adds methamphetamine to the list of drugs that a child born exposed to or having a mother testing positive for upon hospital admittance is presumed to be in need of assistance.

2007 Tex. Gen. Laws, HB 2702, Chap. 267
Sec. 26. Adds heroin and all forms of cocaine to the definition of drugs covered by the Drug Endangered Child Initiative.

Transition from Foster Care

2007 Cal. Stats., SB 198, Chap. 168
Expands the definition of a homeless youth to include anyone age 24 or younger who is homeless or at risk of becoming homeless, is no longer eligible for foster care based on age, or has run away from home.

2007 Cal. Stats., AB 1331, Chap. 465
Requires counties to screen foster care youth who are eligible for the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program for eligibility for Supplemental Security Income (SSI) benefits when those youth turn age 16 and six months and no later than age 17 and six months.

2007 Colo. Sess. Laws, SB 2, Chap. 228
Expands Medicaid eligibility to young adults who are younger than age 21 and who were in the foster care system immediately prior to their 18th birthday or emancipation. Appropriates funds from the Health Care Expansion Fund.

2007 Fla. Laws, SB 2114, Chap. 147
Expands eligibility for the Road to Independence Program to include youth who have finished high school before they age out of foster care and youth placed with a court-approved dependency guardian or adopted from foster care after age 16. Mandates that youth between ages 16 and 18 be formally evaluated for subsidized independent living services under certain circumstances. Permits caseworkers to sign a minor foster youth's learner's driver's license application without assuming liability damages. Allows certain foster children to contract for financial services despite being minors. Stipulates that foster parents or caregivers who develop a written plan of goals for a transitioning child will not have their licensure status jeopardized as a result of the actions of the child.

2007 S.D. Sess. Laws, HB 1058, Chap. 163
Allows a child welfare agency and the Department of Corrections to provide foster care for a person who is older than the age of majority but younger than age 21 if the person is under the continuing juvenile jurisdiction of the Department of Corrections. Includes a provision through which the Department of Corrections may provide community-based services.

2007 Tex. Gen. Laws, SB 758, Chap. 1406
Sec. 10. Requires the Department of Family and Protective Services to release to a child age 18 or older who is discharged from foster care a copy of their birth certificate, immunization records and information in their health passport.

Sec. 17. Requires the department to provide a child entering the Preparation for Adult Living Program with an information booklet describing program benefits, including extended Medicaid coverage until age 21, priority status in the Texas Workforce Commission and the exemption from payment of tuition and fees at institutions of higher learning.

2007 Tex. Gen. Laws, HB 3008, Chap.745
Sec. 1. Establishes a mentorship pilot program in Tarrant, Denton, Dallas and Collin Counties to pair children age 14 or older with volunteer adult mentors to foster support and guidance in preparation for the children's transition to adult living. Requires the Department of Family and Protective Services to contract with a private or nonprofit organization to administer the program. Requires state and national criminal background checks for the mentors. Requires a report to the Legislature by Jan. 1, 2011, on the program and recommendations on improvements and continuing the program statewide.

Requires the department to contract with an institution of higher education to conduct a formal evaluation, with a report due by Jan. 1, 2011, to include an assessment of effectiveness, recommendations for improvements and whether to continue the program statewide.

2007 Vt. Acts, HB 449, Chap. 74
Extends foster care services to young people between ages 18 and 22, who turned 18 while in the custody of the state or were in custody for at least 5 years between ages 10 and 18 and who elect to continue receiving services. Mandates that the commissioner of the Department for Children and Families develop rules to establish a program providing age-appropriate services to ensure a successful transition to adulthood. Requires youth receiving transition services to be working or attending an educational or vocational program and, if working, contributing to the cost of services. Requires the commissioner to measure, evaluate and report on outcomes of the transitional services provided to youth. Requires a collaborative study of the costs and benefits of providing transitional services up to age 22 for a youth who has a functional developmental disability and has been receiving state-funded services or services under an individualized education program on or before the youth's 18th birthday or has been receiving state-funded services for severe emotional

disturbance on or before his or her 18th birthday. Instructs the Secretary of Administration to solicit and summarize, in the final report, input from consumers, providers and representatives of disability organizations.

2007 Wash. Laws, HB 1201, Chap. 2007-315
Extends Medicaid coverage to youth younger than age 21 who were in foster care on their 18th birthday.

2007 Wash. Laws, HB 1131, Chap. 2007-314
Creates the Passport to College Promise Pilot Program to operate initially for 6 years and provide outreach and information regarding opportunities for higher education, including available financial aid, to foster care youth between ages 14 and 18. Requires the Higher Education Coordinating Board to design and implement the program, which will provide supplemental scholarships and student assistance for students who have emancipated from the state foster care system after having spent at least 1 year in care. Outlines eligibility requirements. Requires all state institutions of higher education to include on application and registration materials a question about foster care history. Requires the Children's Administration to implement procedures to promptly and accurately identify students and applicants eligible for assistance because of their foster care status. Requires the Higher Education Coordinating Board to develop and maintain an Internet Web site and outreach program for foster youth to obtain information on higher education. Requires the Department of Social and Health Services to contract with at least one nongovernmental entity to develop and implement a program of supplemental educational transition planning for foster care youth.

2007 Wash. Laws, HB 1922, Chap. 2007-316
Creates the Independent Youth Housing Program within the Department of Community, Trade and Economic Development, in consultation with the Department of Social and Health Services, to provide housing stipends and case management services to young adults ages 18 to 23 who were once dependents of the state.

Tribes

2007 Minn. Laws, HB 1078, Chap. 147
Instructs the court on its duty to determine the existence of a child's tribal membership and to adhere to all applicable state and federal laws regarding Indian child welfare.

Allows tribal organizations to contract with the Commissioner of Human Services to obtain background study data on individuals under tribal jurisdiction related to adoption or foster care.

2007 S.D. Sess. Laws, HB 1078, Chap. 165
Allows tribal agencies that provide child welfare services to obtain results from a child abuse and neglect central registry check.

Workforce

Vol. 76, Del. Laws, SB 113, Chap. 169
Reduces the Department of Family Services statutory requirement of 14 cases per investigation worker to 11 cases per investigation worker.

2007 Ky. Acts, SB 59, Chap. 40
Sec. 1. Creates the "Boni Frederick Bill," in honor of a child protective services caseworker killed while on duty, to provide for the safety and protection of caseworkers.

Sec. 2. Requires the secretary of the Cabinet for Health and Family Services and the secretary of the Justice Cabinet to establish policies and procedures to allow front-line child protective service (CPS) staff in the Department of Community Based Services to request and receive, within one hour, state criminal history background checks at any time for a CPS investigation or to assess staff safety concerns.

Sec. 3. Requires the Department for Community-Based Services staff to report any physical or verbal conduct or threats from a client, or any threatening incident, attempted assault or physical contact or use or threat of use of a weapon, by a client upon a staff member.

Requires the department to establish and maintain an information system and track all reports of violent threats or incidents against staff.

Requires the department to establish a safety liaison within its central office and in each regional office (which may establish a liaison in each county office). Duties of the central office liaison include the following:

- Development of policies and procedures related to the prevention of violence in the office and in the community setting;
- Screening and assessment of the level of threat for professional-client interactions;
- Safety training and first-alert protocols with law enforcement; and
- Administration of a Web-based social worker safety site and a threat and violent incident database.

Sec. 4. Requires the Cabinet to conduct risk assessments on all local offices of the Division of Service Regions of the Department of Community-Based Services. Requires remediation of risk in all offices that do not provide adequate safety and protection for staff.

Sec. 5. Requires the Cabinet Secretary to designate a study group composed of Department of Community Based Services field services staff and others, whose duties would include examining specialized personal safety training and other requirements that reflect the sometimes-dangerous nature of social work. Requires a report to the legislature by Nov. 15, 2007.

Sec. 6. Allows front-line staff to request a risk or safety assessment before an investigation or delivery of services in a community setting. Allows staff to request local law enforcement accompaniment if the situation is warranted.

Sec. 7. Allows the secretary of the Cabinet for Health and Family Services, upon approval by the governor, to request funds in 2006–2008, not to exceed $6 million, to fill front-line staff positions, procure emergency alert technology for front-line staff, and provide safe and appropriate family visits for children on the premises of the Cabinet who are in the custody of the Cabinet.

2007 Tex. Gen. Laws, HB 2702, Chap. 267

Sec. 24. Instructs the Department of Family and Protective Services to study the effect that providing reimbursement for certain educational expenses would have on recruiting and retaining qualified child protective service (CPS) caseworkers. The study will include a analysis comparing the cost of training new caseworkers and the benefits of having experienced caseworker staff with the cost of providing reimbursement for educational expenses.

Directs the department to target individuals with bachelor's degrees in social work, counseling, early childhood education, psychology, criminal justice, elementary or secondary education, sociology or human services when hiring CPS caseworkers.

Appendix B. Citations and Summaries of State Child Welfare Legislation, 2008

Adoption

2008 Alaska Sess. Laws, HB 354, Chap. 38
Changes the age of a child for whom parental consent for adoption is not needed from age 19 or older to age 18 or older.

2008 Conn. Acts. HB 5708, P.A. 100
Directs the Department of Social Services to establish extended eligibility standards for child care subsidies under the department's Care 4 Kids program to cover people who otherwise would be ineligible, including adoptive parents of qualified foster children.

2008 Ga. Laws, HB 1159
Allows a $2000-per-child tax credit for the adoption of a qualified foster child per taxable year, starting with the year in which the adoption becomes final and ending in the year in which the adopted child attains age 18.

2008 Hawaii Sess. Laws, SB 3051, Act 136
Authorizes a designee of the Department of Human Services to obtain criminal history record information, conduct background checks, and obtain child abuse record information for social services programs, including foster homes, child care services, and home and community-based services, as well as persons interested in becoming adoptive parents.

2008 Mo. Laws, HB 1946
Changes the requirements regarding the granting of adoption subsidies to adoptive parents to cover financial assistance for any physical and/or mental condition of the adopted child. States that the subsidy will no longer be subject to income restrictions.

2008 Tenn. Pub. Acts, HB 4139, Chap. 1162
Authorizes the Departments of Children's Services and Finance and Administration to open adoption records to determine (1) eligibility for or correction of payments made to or on behalf of an adopted person or (2) the status of current, past or future child support obligations. Provides for termination of parental rights if the parent has been convicted of rape from which the child was conceived.

2008 Utah Laws, HB 46, Chap. 137
Modifies the definition of "adoption related expenses" that a person may pay or accept without committing the crime of "sale of a child." Made it a felony to offer to sell or dispose of a child or to offer money or something of value to induce a person to sell. Made incarceration for a felony a factor that a court must consider in determining whether a parent is unfit or has neglected a child.

Child Fatality Review

2008 Cal. Stats., AB 2904, Chap. 255
Permitted a county Board of Supervisors to receive and review any information in the custody of the juvenile court or any other involved county agencies related to a child who has died and who has previously come to the attention of, or was in the protective custody of, the county child welfare agency.

Vol. 76 Del. Laws, HB 472, Chap. 373
Mandated the Child Death, Near Death, and Stillbirth Commission to create a regional panel to review all maternal deaths. Required the Commission to release summary information and findings resulting from reviews of child abuse and neglect deaths and near-deaths.

2008 Me. Laws, SB 794, Chap. 586
Authorized the Department of Health and Human Services to investigate suspicious child deaths in the same manner as it does suspected child abuse or neglect. Required the same mandatory reporters of child abuse and neglect to report any suspicious child deaths. Stated that the department may not interfere with the authority and responsibility of the Attorney General in their investigation.

2008 Md. Laws, HB 394, Chap. 69
Requires the medical examiner to notify the chairperson of the local child fatality review team for the appropriate county if a case involves the unexpected death of a child. Requires the Office of the Chief Medical Examiner to orally report findings and deliver a copy of the child's final autopsy report to the local Department of Social Services and law enforcement in cases involving the death of a child believed to be caused by abuse or neglect.

2008 Okla. Sess. Laws, HB 2568, Chap. 324
Allows the Child Death Review Board and the Domestic Violence Fatality Review Board to enter into agreements with other entities to conduct joint reviews of child abuse deaths and near-deaths.

2008 Pa. Laws, SB 684, Act. 2008-87
Creates a Public Health Child Death Review Program to facilitate the work of state and local multi-agency, multidisciplinary teams in examining the circumstances surrounding deaths in the state, for the purpose of promoting safety and reducing child fatalities. Sets responsibilities, confidentiality and immunity.

Children of Incarcerated Parents

2008 Cal. Stats., AB 2070, Chap. 482
Extends the period for providing family reunification services to children of incarcerated parents in certain cases. Requires the court to determine whether extending the reunification period an additional six months, in a case that already received 18 months of reunification services as provided for in current law, is in the best interests of the child and whether there is a substantial probability that the child will be returned home within this 24-month period.

2008 Hawaii Sess. Laws, SB 932, Act 8
Provides that parent inmates shall be placed at a facility in the location that is in the best interests of the family.

2008 Hawaii Sess. Laws, SB 2345, Act 346
Establishes guiding principles to be used by state agencies when dealing with children of incarcerated parents. The goal of these is to assist state agencies in maintaining the well-being of children of incarcerated parents.

2008 Hawaii Sess. Laws, HB 2763, Act 240
Reestablishes the Children of Incarcerated Parents Task Force so that it can continue developing programs to aid children of incarcerated parents, strengthen the family bond and help break the cycle of crime and violence in the family.

2008 Tenn. Pub. Acts, HJR 116
Requests the Department of Corrections to review the National Bill of Rights for Children of the Incarcerated and to update the 1995 report on Children and Families of Incarcerated Felons.

Courts and Legal Representation

2008 Ariz. Sess. Laws, SB 1100, Chap. 78
Allows a court to request or order that services be provided by the Division of Children and Families in the Department of Economic Security if the court believes that a child may be the victim of child abuse or neglect.

2008 Ariz. Sess. Laws, SB 1441, Chap. 198
Increases the maximum age of a child (from less than six months to less than 3 years) for whom a court must hold an adoption petition hearing within 90 days. Adds the following to the list of evidence sufficient to justify the termination of a parent-child relationship: (1) the child is less than age 3, (2) the child has been in an out-of-home placement for six months or longer, and (3) the parent has substantially neglected or refused to remedy the circumstances that caused the out-of-home placement, including refusing to participate in reunification services offered by the Department of Child Welfare and Placement. Requires the court to notify any relatives of their right to be heard in the proceedings if the child is not reunified with his or her parents. Establishes that if termination of parental rights is in the child's best interest, the department shall make reasonable efforts to place the child in a timely manner in accordance with the permanency plan.

2008 Ariz. Sess. Laws, SB 1442, Chap. 199
Requires the court, in a preliminary child protective hearing, to inform a foster or pre-adoptive parent or a member of the child's extended family with whom the child has been placed of their right to be heard in any proceeding to be held with respect to the child. Provides that if at the hearing the child is not returned to the parent or guardian and a relative is identified as a possible placement for the child, the court shall notify the relative of their right to be heard.

2008 Ariz. Sess. Laws, HB 2453, Chap. 278
Determines that court proceedings related to dependent children, permanent guardianships and termination of parental rights are open to the public. Provides certain rules and procedures for conducting these hearings, including allowing the court to determine whether the proceedings should be closed to the public based on the child's best interests and the privacy rights of the child, his or her siblings and caregivers.

2008 Ariz. Sess. Laws, HB 2764, Chap. 168
Allows the court to direct the Division of Children, Youth and Families to not provide reunification services to the child's parents unless the court finds that these services would be in the child's best interests. States that in determining a permanent guardian for a child, the court shall consider the child's objection to the guardian. Authorizes a motion to be filed to find a successor guardian if a guardian is unable or unwilling to continue to serve as the permanent guardian.

2008 Colo. Sess. Laws, SB 106, Chap.348
Permits a parent to file an objection to allowing parenting time if the other parent has been convicted in another jurisdiction of certain crimes that may constitute a danger to the child. Requires the court to order a sex-offender-specific evaluation and parental risk assessment if the parent is convicted in another jurisdiction and to consider the recommendations of the evaluation and assessment in making an order for parenting time.

2008 Colo. Sess. Laws, HB 1018, Chap. 12
Allows nonadjacent judicial districts to jointly establish a volunteer Court-Appointed Special Advocate program.

2008 Colo. Sess. Laws, HB 1264, Chap. 290
Allows county departments and the attorneys who represent them, including guardians ad litem under contract with the Office of the Child's Representative, to have statewide electronic read-only access to certain information in court records of children in care.

2008 Conn. Acts. HB 5529, P.A. 41
Allows a court to order a youth who has run away from the parental home and is determined to be a youth in crisis to return to the control of the parents, guardian, foster parent or other custodian of the youth.

2008 Ga. Laws, SB 508
Establishes that all records related to minor or adult guardianship are to remain sealed, except for a record of the names and addresses of the minor, ward and guardian and the date of filing, granting and terminating the guardianship or conservatorship. Provides that a request by other interested parties to examine the sealed records shall be by petition to the court and the ward and that a guardian shall have at least 30 days' prior written notice of a hearing on the petition.

2008 Ga. Laws, HB 1040
Allows the court to grant the appointment of a permanent guardian for a child when the court determines that reunifying the child with his or her parents would not be in the best interest of the child and that the proposed guardian can provide a safe and permanent home for the child.

2008 Iowa Acts, SF 2212, Chap. 1098
Modifies circumstances for the termination of parental rights to include court orders from jurisdictions in other states.

2008 Iowa Acts, SF 2217, Chap. 1061
Requires the state public defender's designee to be appointed by the court to represent all eligible persons or to serve as the guardian ad litem for eligible children in juvenile court in all of the cases and proceedings specified in the designation.

2008 Iowa Acts, HF 2338, Chap. 1114
Determines that children shall be given the opportunity to attend hearings or reviews involving themselves. Provides that if children are of an age to attend their hearings but do not attend, the court shall determine whether they were informed about their rights to attend.

2008 Kan. Sess. Laws, SB 118, Chap. 57
Removes barriers so that a presiding judge for a case under the Code for Care of Children is allowed to read reports regarding the evaluation of the development or needs of the child.

2008 Kan. Sess. Laws, HB 2570, Chap. 2008-56
Determines that the court shall require the petitioner in independent and agency adoptions to obtain an assessment as to the advisability of the adoption by a court-approved licensed social worker, clinical marriage and family therapist, psychologist or professional counselor.

La. Acts 2008, SB 781, Act 567
Requires that counsel providing representation in child protection proceedings participate in multidisciplinary interaction with other professionals involved with the child, including interdisciplinary communication, investigation, proceedings and administrative hearings.

2008 Me. Laws, HB 1397, Chap. 513
Extends the application of rebuttable presumptions in the Child Protection Laws to allow criminal convictions from other jurisdictions to be used to rebut the presumption in court situations involving contact with children.

2008 Md. Laws, SB 57, Chap. 16
Alters the factors a juvenile court is required to consider in making findings in a permanency planning and review hearing. Increases from seven to 10 the number of days notice that a local department of social services is required to give to persons before such hearings. Requires the court to consult with a child on the record in an age-appropriate manner at least every 12 months at permanency planning or review hearings.

2008 Mich. Pub. Acts, SB 668, Act 199
Permits a judge to suspend parenting time if a petition to terminate parental rights is filed. Requires the family court to determine that termination of parental rights is in the child's best interests before ordering the termination of parental rights.

2008 Mich. Pub. Acts, SB 669, Act 200
Allows the court, on its own motion, or on petition from the Department of Human Services (DHS) or the child's lawyer guardian ad litem, to hold a hearing to determine whether a guardianship could be revoked. Allows a guardian to petition the court for permission to terminate the guardianship. After notice and hearing on the petition for revocation or permission to terminate guardianship, if the court finds by preponderance of the evidence that continuation of the guardianship is not in the child's best interests, the court can revoke or terminate the guardianship, appoint a successor guardian or restore temporary legal custody to the DHS.

2008 Mich. Pub. Acts, SB 672, Act 203
Allows the courts to appoint a guardian if it is in the child's best interest, with the consent of the Michigan Children's Institute. Gives procedures. Allows the court to order the Department of Human Services to perform an investigation and file a written report if a child is placed in a guardian's or proposed guardian's home.

2008 Mich. Pub. Acts, HB 1418, Act 300
Requires coordination between a friend of the court and Department of Human Services concerning child abuse or neglect cases. Requires the department to determine whether there is an open friend of the court case regarding suspected child abuse that results in certain dispositions and to notify the Office of the Friend of the Court that an investigation is being conducted. Allows child protective services to report to a friend of the court if a parent has made unfounded child abuse reports.

2008 Mich. Pub. Acts, SB 1420, Act 510
Requires a person employed in a professional capacity in any office of the friend of the court to report suspicions of child abuse. Requires any employee of an entity who, as a result of federal funding statutes, regulations or contracts would be prohibited from reporting child abuse in the absence of a state mandate or court order, to report suspicions of child abuse.

2008 Mich. Pub. Acts, HB 5828, Act 331
Provides that a probate court may enter an order of adoption even if an adoptee is deceased at the time the order is entered if (1) the foster parents are available for adoption and desire to adopt the child, (2) the parental rights of the adoptee's parents were terminated, (3) the child has been committed to the Children's Institute by a court, (4) the adoption procedures have been initiated, and (5) the Children's Institute supervisor would have granted consent to the adoption after all of the appropriate adoption procedures and requirements had been met.

2008 Mo. Laws, HB 1570
Requires circuit courts to adopt the Missouri Supreme Court standards for representation by guardians ad litem. Requires a plan that takes into account the needs of the circuit as well as the negative impact that excessive caseloads have on the effectiveness of counsel.

2008 N.Y. Laws, SB 6201, Chap. 538
Specifies that a person shall not be penalized in child custody hearings for making good-faith efforts to protect a child against abuse. Requires the court to consider the evidence and not place a child in the custody of a parent who presents a risk of harm to the child, if an allegation of child abuse is supported by a preponderance of the evidence.

2008 N.Y. Laws, AB 8258, Chap. 404
Specifies information that a petition for appointment of a guardian must include, including the results of a criminal history record check and the results of a child abuse registry search. States that the appointment of a permanent guardian shall expire when the child reaches a specified age.

2008 S.C. Acts, SB 9, Act 199
Clarifies that children must be appointed legal counsel and a guardian ad litem by the family court. In the event that the individual appointed as the guardian ad litem is an attorney guardian ad litem, the appointed individual shall serve as the guardian ad litem and legal counsel. The court must not, absent extraordinary circumstances, appoint additional legal counsel to represent an attorney guardian ad litem. The appointed attorney guardian ad litem must petition the family court for the appointment of legal counsel and set forth the extraordinary circumstances requiring the appointment. Counsel for the child in no case may be the same as counsel for the parent, guardian or other person subject to the proceeding or any governmental or social agency involved in the proceeding.

2008 S.C. Acts, SB 980, Act 288
Creates a statewide Guardian ad Litem Program to provide training and supervision to volunteers who serve as court-appointed special advocates for children in abuse and neglect proceedings within the family court. This program must be administered by the Office of the Governor. Specifies that a county providing the guardian ad litem services prior to the effective date of this act may continue to provide such services, provided that the county guardian ad litem program is a member of the National Court Appointed Special Advocate Association. However, a county guardian ad litem program operating pursuant to this subsection must comply with all state and federal laws, even if compliance with state or federal laws would result in the violation of a requirement for membership in the National Court Appointed Special Advocate Association. Sets confidentiality and immunity requirements.

2008 S.D. Sess. Laws, HB 1132
Provides that no child may be held in temporary custody longer than a certain period unless a temporary custody petition for an apparent abuse or neglect case or other petition has been filed, the child is within the jurisdiction of the court and the court orders longer custody during a noticed hearing or a telephone hearing.

2008 Tenn. Pub. Acts, HB 3147, Chap. 1084
Entitles a child to legal counsel during delinquency proceedings or in proceedings where the child is in jeopardy of being removed from the home. Entitles an adult to legal counsel at all stages of any proceedings involving termination of parental rights or child abuse prosecutions, and directs the court to provide such legal representation if the person is indigent.

2008 Tenn. Pub. Acts, HB 3143, Chap. 1046
Requires that a child be present at a foster care permanency hearing and that the court confer with the child about the permanency plan. Requires the court to review and ratify an independent living plan for a child age 16 or older who is in the custody of the Department of Children's Services. Requires permanency hearings for the purpose of reviewing a child's transition plan to independent living.

2008 Tenn. Pub. Acts, HB 3144, Chap. 906
Gives foster parents, prospective adoptive parents and relatives of a child notice of the right to be heard at any hearing or review regarding the child. Requires juvenile-family crisis intervention to certify, either through sworn testimony or in writing, that court intervention is necessary.

2008 Tenn. Pub. Acts, HB 3145, Chap. 1059
Requires an adoption petition to contain a statement that the father registry has been consulted for claims to paternity of the child. Requires the petition for termination of parental rights to be sent to all courts where there is a pending custody, dependency, neglect or abuse proceeding concerning a person whose parental rights are sought to be terminated.

2008 Utah Laws, HB 23, Chap. 45
Includes child abandonment as a type of child abuse. Provides that a person who commits child abandonment is guilty of a felony. Allows a court to order a person or enterprise to pay the costs of investigating and prosecuting a child abandonment case and the costs of securing a forfeiture provided for in this bill. Provides that tangible or pecuniary benefits received from child abandonment are subject to criminal or civil forfeiture.

2008 Utah Laws, HB 33, Chap. 395
Provides that the immunity of a person, official or institution who participates or assists in a child protection matter does not apply if the person intentionally, willfully or knowingly engages in certain misconduct involving misuse of evidence in a judicial or administrative proceeding.

2008 Utah Laws, HB 149, Chap. 163
Allows for the appointment of a Guardian Ad Litem when a protective order is issued and there are minor children in the home.

2008 Vt. Acts, HB 615, Act 185
Provides for the care, protection, education and healthy mental, physical and social development of children involved in juvenile judicial proceedings. Allows for the separation of a child from his or her parents to protect the child from serious harm, including sexual assault, or for public safety. Requires that child safety and timely permanency be the paramount concerns in juvenile proceedings.

2008 Wash. Laws, HB 2822, Chap. 279
Creates a grant program for the improvement of family and juvenile courts, administered by the Administrative Office of the Courts (AOC). Requires courts, to be eligible for grants, to meet certain criteria, including (1) the assignment of a chief judge to the family and juvenile court for at least two years, (2) implementation of one judicial team hearing all proceedings in a case involving one family and (3) provision of specialized training of judicial officers. Requires the Washington State Institute for Public Policy to evaluate the grant program.

Allows a superior court to apply for the grants by submitting a local improvement plan to the AOC that meets the established criteria, which must be consistent with the principles adopted for unified family courts.

Requires judicial officers assigned to family and juvenile court to receive a minimum of 30 hours of specialized training in topics related to family and juvenile matters within six months of assuming duties.

Specifies that courts receiving grant money must use the funds to improve and support family and juvenile court operations based on standards developed by the AOC and approved by the board for judicial administration. Acceptable uses of the funds include paying for family and juvenile court judicial officer training, paying for pro tem coverage while judicial officers are being trained and increasing the number of judicial and nonjudicial staff. States that the AOC shall

allocate available grant moneys based upon the needs of the court as expressed in their local improvement plan. Requires the AOC to report to the legislature.

Education

2008 Colo. Sess. Laws, HB 1019, Chap. 147
Requires each school district to appoint a person to act as the child welfare education liaison to work with child placement agencies, county departments and the state department to facilitate placement, transfers and enrollment in school for children in out-of-home placements.

Provides that when a student in out-of-home placement transfers from one school to another, the district or school is to transfer the records after receiving a request for transfer and the receiving district or school is to immediately enroll the transferring student.

2008 Colo. Sess. Laws, HB 1204, Chap. 311
Provides for the oversight of educational programs for children placed within day treatment centers, residential child care facilities and other out-of-home placement facilities. The oversight will be provided through the creation of a unit within the Department of Education to work with the facilities to facilitate consistency in curriculum, standards and tracking of students' performance.

2008 Hawaii Sess. Laws, HB 1356, Act 198
Expands the definition of former foster youth to include a person formerly placed under the jurisdiction of the Department of Human Services as a foster child who reached age 18 while under the department's care. Increases, from age 21 or younger to age 26 or younger, the age limit for higher-education board allowances for former foster youth students. Provides that the duration of the total higher education board allowance shall not exceed 60 months. Specifies that allowances shall be provided subject to the availability of state and federal funds.

2008 Ind. Acts, HB 1266, P.L. 168
Provides that a student who is in foster care may enroll for eligibility to receive financial aid for their higher education at any time before the student graduates from high school. Requires the student's caseworker to provide the student with information concerning their eligibility.

2008 N.H. Laws, SB 359, Chap. 251
Updates the health education curriculum requirements for public school students to include instruction on the effects of child abuse on physical well-being.

2008 Okla. Sess. Laws, HB 2446, Chap. 409
Addresses the financial need eligibility requirements for the Oklahoma Higher Learning Access Act for any student who was adopted while in permanent custody of the Department of Human Services, in court-ordered custody of a licensed private nonprofit child-placing agency or in the custody of a federally recognized Indian tribe.

2008 Tenn. Pub. Acts, HB 653, Chap. 1142
Revises provisions related to eligibility for the HOPE scholarship and foster child tuition grant to include the student reapplying for the scholarship at set time frames and maintaining a specific cumulative grade point average.

2008 Wash. Laws, HB 2679, Chap. 2008-297
Sec. 1. Requires the Superintendent of Public Instruction to provide an annual aggregate report to the legislature on the educational experiences and progress of students in Children's Administration out-of-home care. These data should be disaggregated into the smallest units allowable by law that do not identify an individual student, to learn which school

districts are experiencing the greatest successes and challenges in achieving quality educational outcomes with students in Children's Administration out-of-home care.

Sec. 2. Requires the education records of a student in out-of-home care to be transmitted to the Children's Administration within two days of the Children's Administration's request.

Finance

2008 Colo. Sess. Laws, SB 216, Chap. 324
Limits the county contribution for the cost of placing children in residential child care facilities to 10 percent of the placement cost.

Foster Care

2008 Alaska Sess. Laws, HB 50, Chap. 93
Sets forth the purpose, definitions, placement evaluation requirements and placing agency responsibility as required through the federal Interstate Compact for the Placement of Children. Establishes an Interstate Commission for the Placement of Children, and sets forth the powers, duties and rulemaking functions of the Interstate Commission.

2008 Ariz. Sess. Laws, HB 2601, Chap. 166
Requires a foster parent to use reasonable judgment in choosing an adult with whom to leave a foster child on a short-term basis. Requires the foster parent to notify the Department of Human Services case manager before the care exceeds 24 hours in nonemergency situations and 72 hours in emergency situations. Requires a foster parent certified to care for a developmentally or medically fragile child to implement the alternate care plan approved by the department if they need to leave the child in the care of another person.

2008 Ariz. Sess. Laws, HB 2633, Chap. 268
Instructs child welfare agencies to make every reasonable effort to not remove a foster child from school during regular school hours for parental visitations or appointments not related to school.

2008 Cal. Stats., AB 2651, Chap. 701
Conforms state law to the federal Adam Walsh Act with respect to background check requirements for potential foster parents and relative caregivers, effective Oct. 1, 2008, to ensure compliance with federal law.

2008 Cal. Stats., AB 3015, Chap. 557
Requires training for group home administrators, licensed foster parents and relative caregivers to include basic instruction on the existing laws and procedures contained in the California Student Safety and Violence Prevention Act of 2000, regarding the safety of foster youth at school and the maintenance of a harassment- and violence-free school environment.

2008 Colo. Sess. Laws, HB 1229, Chap. 118
Defines the term "substitute child care provider" to include persons who provide temporary care in a family child care home during the absence of the licensed provider for more than 14 days or 112 hours in any calendar year. Requires a substitute child care provider to be certified by the Department of Human Services and to submit to a fingerprint-based criminal history records check.

2008 Conn. Acts, HB 5926, P.A. 86
Requires that within 12 months after a child is committed to the Commissioner of Children and Families, the court shall hold a permanency hearing. Requires subsequent permanency hearings at least once every 12 months. Requires the commissioner to file a permanency plan with the court at least 60 days before each permanency hearing.

Vol. 76 Del. Laws, SB 71, Chap. 218
Replaces the existing Interstate Compact on the Placement of Children by providing increased protections and services for children in the foster care system who may be placed in another state. Provides that the new Compact, developed as a collaborative effort among states, will become effective when ratified by 35 states and upon final approval by the Interstate Commission on the Placement of Children.

Vol. 76 Del. Laws, SB 171, Chap. 198
Specifies how a court order should be obtained for holding children charged with or adjudicated of a misdemeanor or felony in the same facility with neglected and delinquent children who have not committed or been charged with any delinquent act. Allows for the provisional mixing of certain children so that needed placements are not delayed.

Vol. 76 Del. Laws, SB 262, Chap. 415
Allows a Division of Family Services caseworker or foster parent to sign for a foster child to obtain a driver's license. Exempts a Division of Family Services caseworker or foster parent who loans a vehicle to a foster child from liability should the child cause damages resulting from the child's negligence.

2008 Hawaii Sess. Laws, HB 523, Act 183
Establishes guiding principles for the Department of Human Services concerning foster children, including ensuring safety from abuse; adequate food, shelter, clothing, medical, dental and mental health care; contact with the child's parents and siblings; and life skills training and transition plans. Authorizes the courts to issue any necessary orders to ensure adherence to the guiding principles.

2008 Ind. Acts, HB 1162, P.L. 69
Establishes a youth advisory council to provide the General Assembly with information from young people concerning issues of importance to Indiana youth, including education, foster care and poverty. Allows the presiding officer of the legislative body of a municipality to appoint an individual who is not older than age 18 to serve as an adviser to the legislative body on matters affecting youth in the community.

2008 Ind. Acts, HB 1290, P.L. 143
Creates the Interstate Commission for the Placement of Children to provide a process through which children are placed in safe and suitable homes in a timely manner and to facilitate ongoing supervision of placements and communication between the states.

2008 Kan. Sess. Laws, HB 2214, Chap. 134
Amends the Dental Practices Act to expand the practice of dental hygiene to include service to (1) children receiving services in residential or nonresidential centers for therapeutic services, (2) children in families receiving family preservation services, (3) children in the custody of the Secretary of Social and Rehabilitation Services or the Commissioner of the Juvenile Justice Authority and in out-of-home placement in foster care homes and (4) children being served by runaway youth programs and homeless shelters.

La. Acts 2008, SB 73, Act 392
Requires parents to contribute to the care and treatment of their children in foster care.

La. Acts 2008, SB 76, Act 436
Authorizes counsel appointed for a child who is in foster care and older than age 15 to file a motion to restore parental rights or parental contact with a parent whose rights have been terminated. Requires the Department of Social Services to make a diligent effort to locate a parent whose rights may be restored and notify him or her of the effects of the restoration, including the obligation to pay child support or make a parental contribution. Requires the court, at a permanency review hearing, to inform a child of his or her rights regarding the restoration of parental rights.

2008 Md. Laws, SB 57, Chap. 16
Alters the factors a juvenile court is required to consider in making findings in permanency planning and review hearings. These include increasing from seven to 10 days the amount of notice required to be given to specified persons before hearings, requiring the court to consult with the child in an age-appropriate manner at least every 12 months at a permanency planning or review hearing, and requiring that in-state and out-of-state placement options be considered during permanency planning for the child.

2008 Mass. Acts, HB 4449, Chap. 4
Complies with the Federal Safe and Timely Placement of Foster Children Act of 2006 and the Child and Family Services Improvement Act of 2006. Requires a child's permanency plan to consider in-state and out-of-state placement options if a child is not to be returned to his or her parents. Requires the permanency plan to address whether the out-of-state placement continues to be appropriate and in the best interests of the child if the child is placed in foster care out of state. Requires the permanency plan of a child age 16 and older to also address the services needed to assist the child in making the transition from foster care to independent living. Also requires that the court consult with the child in an age-appropriate manner about the permanency plans developed for the child.

2008 Mass. Acts, HB 1152
Provides primary and preventive health care services for uninsured dependent and adopted youth from birth through age 18, funded in part by premiums contributed by enrollees. Requires premiums contributed by enrollees to be deposited in the Children's and Seniors' Health Care Assistance Fund.

2008 Mich. Pub. Acts, SB 670, Act 201
Provides that notice given to the state court administrative office of a change in a child's foster care placement may be given by ordinary mail or by electronic means. Requires the Department of Foster Care to notify the court with jurisdiction over a child and the child's lawyer guardian ad litem of a change in foster care placement.

2008 Mich. Pub. Acts, SB 671, Act 202
Allows an alternate permanency plan to be made concurrent with reasonable efforts to reunify the child and family.

2008 Minn. Laws, HB 3376, Chap. 361
Sec. 22. States the purpose of the Interstate Compact on the Placement of Children as providing a process for placing allegedly abused or neglected children, subject to ongoing court jurisdiction, in safe and suitable homes in a timely manner; facilitating placement; and delivering services and communication between the states. Requires coordination between this Compact, the Interstate Compact for Juveniles, the Interstate Compact on Adoption and Medical Assistance and other Compacts. Describes jurisdiction, placement evaluation, authority and enforcement.

Sec. 36. Allows the responsible social services agency to obtain household members' criminal history and the history of maltreatment of a child or adult and to use the history to assess (1) whether putting the child in the household would endanger the child's health, safety or welfare and (2) the suitability of a relative prior to an emergency relative placement.

Sec. 39. Requires every child in foster care or on a trial home visit to receive a monthly visit by the child's caseworker, with the majority of visits occurring in the child's residence. Requires the visits to be of sufficient substance and duration to address issues pertinent to case planning and service delivery to ensure the safety, permanency and well-being of the child.

Sec. 40. Requires the administrative review of children in out-of-home placement to be conducted by the responsible social services agency, using a panel of appropriate persons, at least one of whom is not responsible for case management or service delivery. Allows the review to be open to participation by the parent or child.

Requires the court to review the independent living plan and provision of services related to the well-being of a child age 16 or older as he/she prepares to leave foster care. Lists goals the court is to review and make findings on at the review. Requires the social service agency to establish that they have given notice regarding the right to continued access to services for certain foster children past age 18. Requires the court to ensure that the placement provider assists the child in obtaining documents necessary for leaving foster care, including a social security card; a birth certificate; a state identification or driver's license; a green card or school visa; their school, medical and dental records; and contact information on siblings in foster care.

Sec. 44. Describes the jurisdiction of the juvenile court over children in voluntary foster care for treatment because of emotional disturbance or developmental disability.

Sec. 46–53. Allows a social service agency, on the basis of the diagnostic and functional assessment that determines a child's need for treatment because of emotional disturbance or developmental disability, to enter into a voluntary foster care agreement with the child's parents to give the agency the legal authority to place the child in foster care. Outlines requirements, including the permanency review hearing and annual court reviews.

2008 Miss. Laws, SB 2603, Chap. 538

Requires a petition for termination of parental rights for children in the custody of the Department of Human Services to be filed by the end of the child's 15th month in foster care. Authorizes reimbursement for property damage incurred by the foster parents that was caused by children in the custody of the department.

N.C. Sess. Laws, HB 2431, Chap. 2008-181

Authorizes the Legislative Research Commission to study prohibiting smoking in foster care homes and the prohibition's impact on the number of available foster care homes.

N.C. Sess. Laws, HB 2443, Chap. 2008-168

Revises the state health and long-term care benefits plan for state employees, retired state employees and their dependents to include foster children. A foster child is covered as a dependent child if living in a regular parent-child relationship with the expectation that the employee will continue to rear the child into adulthood. A dependent child is defined as being unmarried; up to age 19; and the legal responsibility of the employee, whether or not the child is living with the employee. The dependent child shall also include any child under age 19 who has reached his or her 18th birthday, provided the employee was legally responsible for such child's maintenance and support on his or her 18th birthday. Children placed in a home by a welfare agency that obtains control of and provides for maintenance of the child are not eligible participants.

2008 Okla. Sess. Laws, SB 1421, Chap. 159
Exempts adults residing in a foster home from the fingerprinting requirement in instances of a severe physical condition that precludes fingerprinting. Requires child-placing agencies to visit each foster child monthly no less than twice per quarter in the foster placement. Limits the number of children under the responsibility of the Department of Human Services in substitute care for more than 24 months. Permits legal custodians of minors to authorize the finger imaging of such minors for the purposes of driver licenses or identification cards.

2008 Tenn. Pub. Acts, HB 2563, Chap. 796
Requires the Department of Children's Services to inform all foster parents of a child's past delinquency charges, criminal charges and hospitalizations, whether due to mental or physical issues, prior to the time of placement.

2008 Utah Laws, HB 122, Chap. 314
Clarifies that a guardianship relationship between a foster parent and a minor who is in the legal custody of the Division of Child and Family Services is included in the relationships that are covered under certain insurance policies. Allows a parent or responsible adult willing to assume liability requirements to sign the learner's permit or provisional driver license of a minor in the legal custody of the Division of Child and Family Services.

2008 Wash. Laws, SB 6792, Chap. 2008-267
Allows a court to order that a hearing be held on the merits of a petition to reinstate parental rights if it finds by a preponderance of the evidence that reinstatement is in the child's best interests. Allows a court, upon the child's motion or the court's own motion, to hear a petition filed by a child younger than age 12. If the court grants the child's petition, a temporary order of reinstatement is entered. Requires the court to hold a hearing and enter a final order restoring the parent's rights and dismissing the dependency after the child has been placed with the parent for six months and the placement is successful. Requires the court, at a shelter care hearing, to determine whether an order expelling an allegedly abusive household member from the home of the nonabusive parent, guardian or custodian will allow the child to remain safely in the home. If the court determines at the shelter care hearing that there is reasonable cause to believe that the parent's abuse of alcohol or controlled substances is a contributing factor to the alleged abuse or neglect or inability to properly care for the child, the court may order the parent to participate in a comprehensive chemical dependency evaluation.

States that at a shelter care hearing, uncertainty by a parent, guardian, legal custodian, relative or suitable other person that the alleged abuser has in fact abused the child cannot be the sole basis upon which the child is removed from the care of the parent, guardian, legal custodian, relative or suitable other person, nor can it be the sole basis upon which to preclude placement with either a relative or a suitable person. Allows the court to enter a restraining order to protect an allegedly abused or neglected child, and if the child's caretaker is willing and does comply with the restraining order, uncertainty by the caretaker that the alleged abuser has abused the alleged victim must not, alone, be a basis to remove the alleged victim from the caretaker.

2008 Wis. Laws, AB 361, Chap. 77
Grants the court jurisdiction over a child whose guardian is unable or needs assistance to care for or provide necessary special treatment or care for the child but is unwilling or unable to sign the petition requesting the jurisdiction.

Investigations

2008 Alaska Sess. Laws, HB 354, Chap. 38
Requires criminal sanctions for unlawful disclosure of confidential information pertaining to a child.

2008 Ariz. Sess. Laws, HB 2454, Chap. 279
Requires the Department of Child Protective Services to meet its duties to provide for the safety and well-being of a child and to disclose information to law enforcement agencies, prosecutors or a designated representative of a child victim of crime. Also requires the department to provide information to a defendant after a criminal charge has been filed, as required by an order of the criminal court. Requires the department to provide the public with specified information regarding a case of child abuse or neglect that resulted in a fatality or near fatality.

2008 Ariz. Sess. Laws, HB 2455, Chap. 280
Requires the Department of Child Protective Services to provide training to workers on their duty to protect the legal rights of children and families, including knowledge of a child's rights as a victim of a crime.

2008 Ariz. Sess. Laws, HB 2594, Chap. 182
Requires the Department of Economic Security to employ child protective services workers who will make good-faith efforts to promptly obtain and abide by court orders that restrict or deny custody, visitation or contact by a parent or other person in the home with the child.

2008 Ariz. Sess. Laws, HB 2599, Chap. 165
Requires the Department of Child Protective Services, upon receipt of a report of suspected child abuse or receipt of information during the course of providing services that indicates a child is at risk of serious harm and the child's location is unknown, to notify the appropriate law enforcement agency and provide the information necessary to enter the record into the State Crime Information Center and the National Crime Information Center Missing Person Database.

2008 Ariz. Sess. Laws, HB 2602, Chap. 117
Requires the director of the Department of Public Safety to authorize the exchange of criminal justice information between the central state repository or the criminal justice information system and the Child Protective Services Division of the Department of Economic Security, for the purpose of investigating or responding to reports of child abuse, neglect or exploitation.

2008 D.C. Stat., B 247, Chap. 198
Amends the Prevention of Child Abuse and Neglect Act of 1977 to require certain records to be made available to the Child and Family Services Agency as part of an investigation of suspected child abuse or neglect.

2008 Me. Laws, SB 794, Chap. 586
Authorizes the Department of Health and Human Services to investigate suspicious child deaths in the same manner as suspected child abuse or neglect. Requires the same mandatory reporters of child abuse and neglect to report any suspicious child deaths.

2008 Md. Laws, HB 790, Chap. 91
Requires the organization Maryland Child Abuse Medical Providers to collaborate with child advocacy centers and forensic nurse examiner programs to ensure that medical professionals have information on cooperating with social services departments, child advocacy centers and local law enforcement officers to protect children from trauma during child abuse and neglect investigations and prosecutions.

2008 Md. Laws, HB 910, Chap. 300
Authorizes a health care provider to disclose medical records to a state unit or local government, for purposes of investigation or treatment in a case of suspected abuse or neglect of a child, without the authorization of the person of interest if the person has not objected within 30 days after a notice is sent.

2008 Mich. Pub. Acts, SB 1421, Act 511
Requires development and use of a child protection investigation checklist in each investigation of suspected abuse and neglect. Stipulates that an investigation is not to be closed until the checklist is completed and reviewed by a supervisor.

2008 Mich. Pub. Acts, HB 4872, Act 519
Prohibits persons responsible for the care or welfare of a child from leaving a child unattended in a vehicle for a period that poses an unreasonable risk of harm or injury to the child or under circumstances that pose an unreasonable risk of harm or injury to the child. Provides violation penalties.

2008 Neb. Laws, LB 782
Allows the chief executive officer, or director, of the Department of Health and Human Services to disclose information regarding child abuse or neglect and the investigation of any services related to child abuse and neglect if it is determined that such disclosure is not contrary to the best interests of the child, the child's siblings or other children in the household. Also allows disclosure if any of the following factors are present: the perpetrator has been charged, provision of services has been disclosed by an investigative agency, a parent has made a public disclosure, disclosure relates to a missing child or a fatality, or disclosure confirms information concerning an allegation or actual instance of child abuse or neglect that has been made public by sources outside the department.

2008 N.Y. Laws, AB 7858, Chap. 574
Improves the coordination of child protective investigations by multidisciplinary teams. Requires all team members to facilitate efficient delivery of services to victims and appropriate disposition of cases through the criminal justice system and/or the family court system in a collaborative manner.

2008 Tenn. Pub. Acts, HB 2469, Chap. 1146
Authorizes the Department of Children's Services to release records to child abuse or fatality review teams, law enforcement agencies, grand juries, courts and any agency that has a need for such records to carry out their responsibilities to protect children from abuse and neglect. Amends provisions related to procedures for public disclosure of such records, release of student records and release of drug and alcohol records.

2008 Tenn. Pub. Acts, HB 3162, Chap. 1011
Provides that if a student is a victim of child abuse or sexual abuse that occurred on school grounds or under the schools care, the principal must verbally notify the parents and provide all school information and records relevant to the alleged abuse.

2008 Tenn. Pub. Acts, SB 2580, Chap. 1024
Defines child abuse to include the natural effects of starvation or dehydration; provides for criminal penalties.

2008 Utah Laws,, HB 31, Chap. 299
Amends the definition of abuse to include sexual abuse and non-accidental harm of a child. Adds to the definition of neglect the abandonment of a child and a child at risk of being neglected or abused because another child in the same home is neglected or abused.

2008 Utah Laws, HB 102, Chap. 152
Clarifies that the offense of child abuse homicide does not apply under circumstances that constitute aggravated murder, and increases the penalties for child abuse homicide.

2008 Vt. Acts, HB 635, Act 168
Establishes a tiered range of responses to child abuse or neglect (known as differential or alternative response) that take into account the different degrees of child abuse or neglect. Defines "investigation" and "assessment" of a report of abuse and neglect and the procedures for both. Determines that the Department for Children and Families may collaborate with child protection, law enforcement and other departments and agencies in the state to evaluate risk to a child and determine the service needs of the child and family.

2008 W. Va. Acts, SB 286, Chap. 27
Provides that no child protective services caseworker may be held personally liable for any professional decision or action arrived at in the performance of his or her official duties.

Kinship Care

2008 Conn. Acts, SB 66, P.A 97
Allows a grandparent or other relative caregiver who is appointed a guardian of a child or children and who is not a recipient of subsidized guardianship subsidies or foster care payments from the Department of Children and Families to be eligible to apply for grants under the Kinship Fund and Grandparents and Relatives Respite Fund administered by the Children's Trust Fund Council through the Probate Court.

Vol. 76 Del, Laws, HB 209, Chap. 222
Permits a parent, guardian or custodian suffering from a progressive chronic condition or terminal illness to make plans for the interim or permanent future care of a child without terminating the parental or legal rights of the parent, guardian or custodian.

2008 Ga. Laws, SB 88, Act 540
Creates the "Power of Attorney for the Care of a Minor Child Act." Allows a parent of a minor child to delegate, to any grandparent residing in the state, caregiving authority regarding the minor child when hardship prevents the parent from caring for the child. Allows the authority to be delegated without the approval of a court, by executing in writing a power of attorney for the care of a minor child. States that the reasons that parents may delegate this authority may include being unable to provide care because of the death of the other parent, serious or terminal illness, the physical or mental condition of the parent or child, incarceration of the parent, loss or uninhabitability of the child's home as a result of natural disaster, or active military duty of a parent exceeding 24 months. Specifies that such authority may not be granted for the purpose of subverting an investigation of the child's welfare by the Department of Human Resources. States that the power of attorney may grant the grandparent the authority to enroll the child in school and extracurricular activities; arrange for medical, dental and mental health treatment for the child; have access to the child's medical, dental and mental health records; provide for the child's food, lodging, housing, recreation and travel; and exercise any additional powers specified by the parent. Allows the grandparent the right to enroll the child in school, kindergarten or daycare where the grandparent resides.

2008 Hawaii Sess. Laws, SB 2730, Act 199
Requires the Department of Human Services to provide an application within 15 days of an inquiry from a relative to be a foster placement. Provides that placement preference shall be given to appropriate relatives identified by the department. Requires the department to make reasonable efforts to identify all relatives within six months after assuming foster custody of a child.

2008 Hawaii Sess. Laws, SB 2830, Act 220
Extends the work of the Joint Legislative Committee on Family Caregiving, and requires the Committee to submit to the legislature a report of its findings and recommendations as they relate to family caregiving.

La. Acts 2008, SB 152, Act 404
Expands eligibility for coverage under group life insurance policies by authorizing coverage of unmarried grandchildren under a specified age who are in the legal custody of a grandparent. Authorizes continued coverage for those in the legal custody of a grandparent who are incapable of self-sustaining employment by reason of a developmental disability or physical handicap.

2008 Md. Laws, SB 77, Chap.361
Requires a superintendent of schools to allow a child to attend a public school different than the one where the child is domiciled with the child's parent or legal guardian if the child lives with a relative in an informal kinship care relationship in an area outside of their original school area.

2008 Md. Laws, HB 169, Chap.362
Allows a child to attend a public school in a school attendance area other than the school where the child is domiciled with the child's parent or legal guardian if the child lives with a relative providing informal kinship care in the school attendance area and the relative verifies the kinship care relationship through a sworn affidavit.

2008 Md. Laws, SB 551, Chap. 190
Prohibits the court from considering a disability of the relative or nonrelative, except under certain circumstances, when determining whether to grant custody and guardianship of a child in need of assistance to a relative or a nonrelative.

2008 Mass. Acts, HB 4905, Chap 176
Sec. 1. Creates a permanent commission on the status of grandparents raising grandchildren. Sets membership, appointments and duties. These include acting as a resource on issues affecting grandparents raising grandchildren, serving as a liaison between government and private interest groups on this issue, assessing programs and practices in all state agencies related to grandparents raising grandchildren, identifying issues, advising the legislature and executive agency of the potential effects of proposed legislation on this population and investigating the establishment of a state agency dedicated to grandparents' issues. Requires a report to the legislature by December 31 each year.

2008 Mich, Pub. Acts, MI S170, Act 260
Establishes the Subsidized Guardianship Assistance Act. Permits the Department of Human Services (DHS) to pay subsidized assistance to a court-appointed legal guardian on behalf of an eligible child if the guardian is the child's relative or legal custodian and is approved for assistance by the DHS. Sets eligibility criteria for the child and guardian. Requires the guardian to apply for and maintain any public or private medical insurance or assistance for which the child was eligible. States that if Title IV-E funding is approved as a funding source for the program, DHS would be subject to all requirements in federal laws and regulations.

2008 Miss. Laws, SB 2603, Chap. 538
Provides for monthly payments to relatives other than the natural parents who care for children placed in their home by the Department of Human Services.

2008 Ohio Laws, HB 119, Chap. 15
Changes eligibility requirements for the Kinship Permanency Incentive Program to support relative caregivers. Eliminates the requirement that the child have special needs, and raises the maximum income eligibility of a participant to 300 percent of the federal poverty guidelines. Requires the Ohio Department of Job and Family Services (ODJFS) Director to adopt rules to determine income calculation. Changes the custody requirement so that, on or after July 1, 2005, a juvenile court must have issued an order of legal custody to the kinship caregiver, or a probate court must have granted guardianship to the kinship caregiver. Eliminates the requirement that a juvenile court have determined the child abused, neglected, dependent or unruly, or that a probate court have determined that it is in the best interest of the child to be in the guardianship. Provides that a temporary court order is not sufficient to fulfill the custody requirement. Maintains the

requirements that the kinship caregiver reside with the child and be the child's legal custodian or legal guardian. Those participating in the program as of the act's effective date are not made ineligible by the changes made by the act. Requires the ODJFS to prepare reports, due Dec. 31, 2008, and Dec. 31, 2010, to the governor and legislature, on stability and permanency outcomes for children in the Kinship Permanency Incentive Program; total amount of payments made under the program; patterns of expenditures made per child under the program; and cost savings realized through the program from placement with kinship caregivers rather than in other out-of-home placements.

Contingent on the availability of funding, requires the ODJFS to implement and oversee the use of a Child Placement Level of Care Tool on a pilot basis. The tool will be used to assess a child's placement needs when a child must be removed from home and cannot be placed with a relative or kin not certified as a foster caregiver. Requires the tool to include assessment of a child's behavior, history, psychological state and the involvement of service systems. Requires the tool to be developed by the participating counties, which will include Cuyahoga County, on a voluntary basis and implemented by the ODJFS. The ODJFS may adopt administrative rules to carry out the pilot program and must seek maximum federal financial participation to support the pilot program and its evaluation. The pilot program will be conducted between July 1, 2008, and Dec. 31, 2009. Requires the ODJFS to provide for an independent evaluation, through a competitive process, of the pilot program to assess placement stability, length of stay, and other outcomes for children; cost; worker satisfaction; and any other criteria that the ODJFS determines will be useful in the consideration of statewide implementation. Requires a comparison of data to historical outcomes or control counties, a retrospective data review of Cuyahoga County's use of the tool and a prospective data evaluation in each of the pilot counties.

Further requires coordination with the Ohio Department of Mental Health (ODMH), which must conduct a study of the children placed using the Child Placement Level of Care Tool that runs concurrently with the pilot. Requires the study to focus on analyzing any correlations between the initial placement outcomes and initial scores of problem severity and behavioral health functioning.

2008 S.D. Sess. Laws, HB 1302, Chap. 26

Requires a family service specialist within the Division of Child Protection Services who is contacted by a relative about the relative's desire to take temporary or permanent placement of an alleged or adjudicated abused or neglected child who has been removed from the child's parent, guardian or custodian, to document the contact in the child's file. Stipulates that the division send information to the relative within five business days informing the relative of the steps required for the relative to be considered for placement.

2008 Utah Laws, HB 36, Chap 17

Provides that the requirement that a child in state custody may not be placed with a prospective foster or adoptive parent until the Department of Human Services conducts a comprehensive background check does not prohibit the Division of Child and Family Services or a court from placing the child with a noncustodial parent or with a relative, pending further investigation.

2008 Va. Acts, HB 811, Chap. 132

Provides that the 24-month period of ineligibility for Temporary Assistance for Needy Families (TANF) financial assistance shall not apply when a child is removed from his or her parent's home as the result of a child protective services report or complaint and placed with a relative. The relative with whom the child is placed shall be eligible for TANF financial assistance immediately and without waiting for the 24-month period to run.

Oversight/Administration

2008 Ala. Acts, SB 67, Act 394
Establishes the Legislative Youth Advisory Council and the Legislative Youth Advisory Oversight Commission. Defines the membership, duties and funding of the council and commission, and establishes the goals for communicating to the legislature issues that are important to youth.

2008 Ala. Acts, HJR 640, Act 337
Creates the Services for Alabama Families Study Commission. Details membership criteria for the commission, and describes duties specific to the commission, including gathering information about services provided by the different family services programs in the state.

2008 Colo. Sess. Laws, HB 1005, Chap. 328
Requires parties to a Memorandum of Understanding for the coordination of services for children and families to identify the amount of anticipated reinvestment savings that will result from the Collaborative System of Management of Multi-Agency Services Program, which is a collaborative system of local-level interagency oversight groups and individualized service and support teams to coordinate and manage the provision of services to children and families who would benefit from integrated multi-agency services. Authorizes the Department of Human Services to contract for an external evaluation of the program. Requires input from participating counties and entities in developing evaluation criteria, and requires those counties to take part in the evaluation. Requires the department to develop a training package for counties to assist them in developing more effective strategies to deliver services to children and families.

2008 Colo. Sess. Laws, HB 1046, Chap. 381
Offers assistance in applying for Medicaid, Children's Basic Health Plan benefits, Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) to parents or legal guardians of juveniles in a commitment center and certain persons confined in a mental health facility of the Department of Human Services who meet specified criteria. Requires simplification of the processing of applications for Medicaid, the Children's Basic Health Plan, SSI and SSDI.

2008 Colo. Sess. Laws, HB 1404, Chap. 327
Requires the Department of Human Services to report to the General Assembly the work of the Governor's Child Welfare Action Committee, and creates the Child Welfare Action Committee Case Fund.

2008 Ga. Laws, HB 1054, Chap. 562
Consolidates the Children and Youth Coordinating Council with the Children's Trust Fund Commission by transferring the functions to the Governor's Office for Children and Families and encouraging collaboration by the council and commission. Establishes that the Office of the Child Advocate for the Protection of Children shall coordinate the work of the Georgia Child Fatality Review Panel and provide administrative and staff support to the panel as necessary.

2008 Ill. Laws, HB 4456, P.A. 95-781
Creates the Commission on Children and Youth, whose purpose will be to create a strategic plan for providing services to children, youth and young adults in Illinois; monitor the implementation of the plan; and review and revise the plan.

La. Acts 2008, SB 701, Act 775
Establishes that state departments, including the Department of Health and Hospitals and the Department of Social Services, shall guide the implementation of service delivery integration designed to meet the needs of children and their families. Authorizes the state leadership group to establish a Neighborhood Place to implement the service integration delivery model. Identifies the goals of the integrated case management delivery model, including to provide citizens with timely access to an array of health care, education and human services and to address foster care and adoption as well as family safety and stability.

2008 Me. Laws, HB 1971, Chap. 683
Creates the Children's Growth Council, and defines both the membership provisions and the council's duties. These include to develop and evaluate a plan for sustainable social and financial investment in the healthy development of the state's young children and their families. Offers a voluntary universal home-visiting program for new families with children.

2008 Minn. Laws, HB 3376, Chap. 361
Sec. 57. Requires the Commissioner of Human Services to seek an amendment to the state plan to provide targeted case management services to children with developmental disabilities who are in need of activities that coordinate and link social and other services. The purpose of the legislation was to help children gain access to needed medical, social, educational and other services.

2008 Ohio Laws, HB 119
Allows the Ohio Department of Job and Family Services (ODJFS) to use a portion of the 3 percent of the Title IV-E funds withheld under prior law to fund the Ohio Training Program and the University Partnership Program for efforts supporting organizational excellence. These include voluntary activities to be accredited by a national recognized accreditation organization. The Ohio Training Program and the University Partnership Program supports college and university students majoring in social work who commit to working for a public children's services agency upon graduation.

2008 Va. Acts., SB 472, Chap. 873
Eliminates the interdepartmental regulation of children's residential facilities and group homes, and provides that the Departments of Mental Health, Mental Retardation and Substance Abuse Services, Social Services, and Juvenile Justice shall regulate and license children's residential facilities and group homes for which they are the primary licensing agency. Each licensing agency shall conduct background checks of persons working or volunteering at facilities. Requires the Department of Education to be solely responsible for licensure of educational programs in children's residential facilities and group homes.

Prevention/Treatment/Training

2008 Cal. Stats, AB 2352, Chap.700
Clarifies the ability of health care providers to release confidential information about a minor to a county social worker, probation officer or any other person legally authorized to have custody or care of the minor, for the purpose of coordinating health care services and medical treatment to the minor.

2008 Colo. Sess. Laws, HB 1051, Chap. 6
Concerns technical statutory modifications per the 2007 state auditor's report regarding core services for families served through the Department of Human Services. States that intensive services shall be available to a family for a child who requires a more restrictive level of care, and defines "family development specialist."

2008 Colo. Sess., Laws, HB 1391, Chap. 219
Creates the Child Welfare and Mental Health Services Pilot Program in the Department of Human Services to provide mental health screenings, evaluations and services for any child from ages 4 through 10 who has been the subject of a substantiated case of abuse and neglect. Requires the department to develop and establish the program and to submit a report to the General Assembly concerning the outcomes of the program.

2008 Hawaii Sess. Laws, SB 1750, Act 216
Authorizes hospitals and institutions that provide medical care to newborns to provide information to the parents of all newborns under their care about the dangerous effects of Shaken Baby Syndrome and the methods of preventing the syndrome.

2008 Md. Laws, SB 607, Chap. 602
Authorizes access to court records and police records for a child receiving treatment or care by the Baltimore City Health Department who is a subject of abuse and neglect if the records concern a child convicted of a crime or adjudicated delinquent for an act that caused a death or near fatality.

2008 N.Y. Laws, AB 5258, Chap. 568
Creates the Safe Harbour for Exploited Children Act. Requires social services districts to ensure that preventive services exist, including a short-term safe house or placement program, to serve sexually exploited children. Instructs the Office of Children and Family Services to contract with a not-for-profit agency to operate one safe house in the state. Mandates training of law enforcement officials.

2008 Tenn. Pub. Acts, SB 2582, Chap 1062
Adds to the Department of Mental Health's service principles, and implements a comprehensive public children's mental health service delivery system.

2008 Utah Laws, SB 239, Chap. 116
Establishes the Safety Net Initiative and Task Force within the Office of the Attorney General to facilitate efforts to provide services to men, women and children who may be subject to crimes including domestic violence, sexual abuse or maltreatment in certain communities. Authorizes the Attorney General to employ investigators, prosecutors and necessary support staff to administer special duties assigned to the Attorney General.

2008 Utah Laws, HB 374, Chap. 83
Provides that a local board of education may grant to the superintendent the authority to approve a child abuse or neglect prevention or treatment service or program that is intended for presentation in a public school. Permits the waiver or reduction of cash-matching and in-kind matching requirements in order for an entity to receive funds from the Children's Trust Account.

Reporting

2008 Me. Laws, HB 1604, Chap. 577
Adds both sexual assault counselors and family or domestic violence victim advocates to the list of mandated reporters of suspected child abuse, neglect or exploitation. To permit this mandatory reporting, creates an exception for these new reporters to laws that would otherwise govern client confidentiality.

2008 Mich. Pub. Acts, SB 273, Act 46
Requires the Department of Human Services, within 24 hours after receiving a report of suspected child abuse or neglect involving certain violations, to notify the local law enforcement agency and the prosecuting attorney (as is currently required). Extends that requirement to other reports involving a child's death, sexual abuse or exploitation, or severe physical injury.

2008 N.Y. Laws, SB 111, Chap. 323
Defines abuse and neglect of a child in residential care. Specifies reporting procedures, central registry placement and criteria for determinations of such reports and actions to be taken. Requires the Office of Children and Family Services, upon reasonable cause to suspect child abuse or neglect, to make a separate report to the statewide central registry

for investigation by the applicable local child protective service. Requires the Office of Children and Family Services, upon determination that a crime was committed against a child in care, to transmit the allegations and findings to law enforcement. Requires the office to also report its findings, regardless of whether the report is indicated or unfounded, to the director of the facility and to the appropriate licensing or operating state agency. Requires the office to recommend to the facility and licensing state agency that appropriate preventive and remedial actions be taken. Requires the facility or state agency to initiate such action within a reasonable period and to submit a written report of such actions to the office.

2008 N.Y. Laws, SB 2978, Chap. 602
Provides child protective services units with access to criminal history reports of adults residing with alleged or suspected abused, maltreated or neglected children or named in a report of child abuse, maltreatment or neglect.

2008 Tenn. Pub. Acts, SB 2620, Chap. 1171
Prohibits a false accusation of child sexual abuse or false accusation that a child has sustained any wound, injury, disability or physical or mental condition caused by brutality, abuse or neglect.

2008 Tenn. Pub. Acts, HB 3717, Chap. 1060
Provides that if a health care provider makes a report of harm and if the report arises from an examination of the child performed by the health care provider in the course of rendering professional care or treatment of the child or through special training to detect child abuse, then the health care provider shall be immune from civil and criminal liability.

Safe Havens for Infants

2008 Alaska Sess. Laws, HB 29, Chap. 1
Prohibits prosecution of parents who safely surrender their infants to the physical custody of identified persons if specific conditions are met. The infant must be less than 21 days old, and the parent must not be the subject of a court order affecting child custody. Parents must surrender their infant in the manner described by law. Prohibits prosecution if there is no evidence of physical injury prior to the abandonment. The Office of Children's Services (OCS) is not required to make reasonable efforts to provide family support services if the OCS took emergency custody of the infant.

2008 Ariz. Sess. Laws, SB 1049, Chap. 22
Requires safe-haven providers for infants, including fire stations and health care institutions, to post notices outside of all entrances that they accept newborn infants. Mandates that the notices must be placed in a conspicuous area on the exterior of the buildings.

2008 Neb. Laws, LB 157
Allows firefighters and hospital staff members who engage in the administration of care or are at a fire station or hospital to accept the custody of an infant who is 72 hours old or younger into their care without a court order. Requires the firefighter or hospital staff member to contact law enforcement within four hours after receiving the child. Requires the Department of Health and Human Services to maintain a monthly report of the number of children who have been abandoned and report annually to the legislature. Stipulates that a child left with a firefighter or hospital staff member must be placed with a potential adoptive parent as soon as possible by the department.

2008 Ohio Laws, SB 304
Increases to 30 days the maximum age at which a child may be voluntarily delivered by the parent to a peace officer, hospital employee, or emergency medical service worker under the safe-haven law. Requires the Ohio Department of Job and Family Services, in collaboration with the Ohio Family and Children First Cabinet Council, to develop an educational plan for informing populations most likely to use the safe-haven law about the law.

2008 Vt. Acts, SB 222, Act 102
Clarifies that, under the baby safe-haven exception to the crime of abandonment, the person receiving the child is not required to reveal the name of the person who delivered the child unless there is a reasonable suspicion that the child has been abused. States that the exception does not affect procedures regarding the termination of parental rights and regarding children in need of care or supervision.

Siblings

2008 Colo. Sess. Laws, HB 1006, Chap. 1
Requires a county department of social services to arrange for a visit between a child in foster care and his or her siblings within a reasonable amount of time if the child and his or her siblings express a mutual desire to visit with each other. Allows the county department to deny such a visit if it determines it would not be in the best interests of the child or his or her siblings.

2008 Va. Acts, HB 1143, Chap. 188
Grants circuit courts and juvenile and domestic relations district courts the authority to grant visitation rights to siblings, in addition to the natural parents and grandparents, of any child entrusted or committed to foster care.

2008 Va. Acts, HB 1530, Chap. 397
Requires that all reasonable steps must be taken to place siblings together in the same foster home, and requires that, where siblings are placed in separate foster homes, a plan shall be developed to encourage frequent and regular visitation or communication.

Substance Abuse

2008 Iowa Acts, HF 2310, Chap. 1121
Requires the Departments of Public Health and Human Services to collect data and develop a protocol to address the relationship between substance misuse, abuse or dependency by a child's parent, guardian, custodian or other person responsible for the child's care and child abuse. The departments shall make an initial report to the governor and the Standing Committees on Human Resources of the Senate and House of Representatives concerning the initial data collected, preliminary recommendations and the status of protocol implementation.

2008 S.D. Sess. Laws, HB 1201, Chap. 26
Allows the courts to consider whether the apparent, alleged or adjudicated abuse or neglect of a child was related to the use of alcohol, marijuana or any controlled drug or substance. The placement or return of the child may be subject to the condition, if the court so orders, that a parent, guardian, custodian or any other adult residing in the home submit to tests for alcohol, marijuana or any controlled drug or substance prior to or during the placement or return of the child. If a parent, guardian, custodian or any other adult who resides in the home and has been ordered by the court to submit to testing for alcohol, marijuana or any controlled drug or substance tests positive for alcohol, marijuana or any controlled drug or substance or fails to submit to the test as required, the Department of Social Services may immediately remove the child from the physical custody of the parent, guardian or custodian. This may occur without prior court order and is subject to a review hearing, which may occur by telephone, within 48 hours excluding Saturdays, Sundays and court holidays.

2008 S.D. Sess. Laws, SB 69, Chap. 26
Adds marijuana to the list of abusive substances for the purposes of determining child abuse.

Transition from Foster Care

2008 Cal. Stats., AB 2310, Chap. 131
Adds the following to the list of information that must be provided to emancipating foster youth: any known information regarding the child's Indian heritage or tribal connections; any nonforensic photographs of the child or his or her family that the county possesses; and a letter that includes the child's name and birth date, the dates during which the child was under the jurisdiction of the court and a statement that the child was a foster youth.

2008 Colo. Sess. Laws, SB 99, Chap. 329
Extends Medicaid eligibility for persons who are in the foster care system prior to emancipation. Allows a person younger than age 21 for whom the state made subsidized adoption payments when the person attained age 18 to continue to be eligible for Medicaid.

2008 Conn. Acts, SB 2, P.A. 123
Increases the number of units of affordable housing that the Next Steps Initiative shall provide for eligible households, which includes transitional foster care adults age 18 to 23, from 500 to 1,000 units.

2008 Ind. Acts, HB 1290, P.L. 143
Provides that an individual who received youth foster care may choose to receive older youth foster care until the individual reaches age 21 if he or she is working or attending a vocational program or educational program. Establishes that the Division of Family Resources may implement a transitional services plan for an individual receiving older youth foster care.

La. Acts 2008, HB 366, Act 352
Authorizes the Department of Health and Hospitals to extend to independent foster care adolescents who are not otherwise Medicaid eligible an alternative benefits package or regular Medicaid benefits under the Medical Assistance Plan. Authorizes the department to choose whether participants receive regular or alternative benefits.

2008 Mich., Pub. Acts, HB 4481, Act 215
Requires the Department of Human Services to establish a foster care independence program for young adults age 14 to 21 in foster care. The program will be designed to help them make the transition to adulthood and self-sufficiency. Requires the program to include services such as help in obtaining a high school diploma, career exploration, vocational training, job placement and retention, daily living skills training, training in budgeting, substance abuse prevention, smoking avoidance, nutrition education and pregnancy prevention. Provides stipends for utility deposits, security deposits and first month's rent.

2008 Miss. Laws, SB 2601, Chap. 541
Allows continued Medicaid benefits for children adopted through a state-supported adoption agency through age 18. Authorizes the continuation of benefits until the child's 21st birthday if benefits are found to be in the best interest of the child.

2008 N.H. Laws, HB 537, Chap. 273
Establishes a task force to study the issue of homeless teens. The task force is to investigate the number of homeless youth in the state; investigate the extent of any current or prior relationship to the Division of Children, Youth and Families; and examine the needs of homeless youth for employment, education, transportation, housing, nutrition, mental health services, medical and dental care, legal services and other support services for adults. The task force also will (1) assess the current availability and accessibility of such services, (2) research the transitional services available to young people who are moving from foster care or other service systems to adult care systems, (3) review the youth development

center master plan and identify resources or services of the center that are appropriate for homeless teenagers and (4) solicit information and testimony from youth and young adults who are or have been homeless and from agencies and organizations that provide services to homeless youth and young adults. These include school assistance and other educational programs, runaway and homeless youth programs, mental health and substance abuse prevention and treatment programs and New Hampshire Legal Assistance.

2008 N.H. Laws, HB 702, Chap. 274
Allows the court to retain jurisdiction in an abuse and neglect case up to a child's 21st birthday, but the case shall close at the request of the child.

2008 Va. Acts, HB 149, Chap. 483
Defines an independent living arrangement as placement of a child who is at least age 16 and is in custody of a local board or licensed child-placing agency that does not include parental supervision. An independent living arrangement also includes provision of services and activities to a child in foster care who is age 16 or older but not yet age 21. Requires, for children age 14 and older, that the child's needs and goals in specified areas be included in the written foster care plan for the child.

2008 Va. Acts. HB 1141, Chap. 187
Provides that any person committed to a local board or licensed child-placing agency may choose to discontinue receiving independent living services anytime before his or her 21st birthday. The local board shall restore independent living services at the request of that person, provided that the person has not yet reached age 21 and has entered into a written agreement with the local board or licensed child placing agency, less than 60 days after independent living services have been discontinued, regarding the terms and conditions of his or her receipt of independent living services.

Tribes

2008 Kan. Sess. Laws, SB 435, Chap.2008-169
Revises the state juvenile justice code and the state code for care of children to include in its definition of "interested party" an Indian tribe seeking to intervene in the care of the child and to include in the definition of "party" an Indian child's tribe intervening pursuant to the Indian Child Welfare Act. Allows a person or persons designated by an Indian tribe access to the official file of a child in need of care.

Workforce

2008 Va. Acts, SB 493, Chap. 277
Requires the Department of Social Services to establish minimum training requirements and to provide educational programs for foster and adoption workers and their supervisors. Costs associated with the training requirements are to be absorbed by the department within the funds appropriated for training and assistance to local staff. Requires the Board of Social Services to approve, in foster care policy, the language of the written agreement to be entered into by local boards and licensed child-placing agencies. Also provides that such agreements shall include at a minimum a Code of Ethics and mutual responsibilities for all parties to the agreement.

2008 Va. Acts, HB 825, Chap. 133
Requires the Department of Social Services to establish minimum training requirements and to provide educational programs for foster and adoption workers.

2008 Va. Acts, HB 850, Chap. 308

Requires the Board of Social Services to approve, in foster care policy, the language of the written agreements to be entered into by local boards and licensed child-placing agencies. Also provides that such agreements shall include, at a minimum, a Code of Ethics and mutual responsibilities for all parties to the agreement.

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