

NCSL Report: Child Welfare 2013 Legislative Action Overview



In Memoriam—This issue is respectfully dedicated to the memory of Jack Tweedie of NCSL's Children and Families Program. For nearly 20

years, Jack focused on helping legislatures develop state TANF flexibility and strategies to reduce child and family poverty. It was a privilege to work with Jack on child welfare issues. He will be missed.

State legislators are responsible for crafting child welfare legislation, for funding state child welfare programs and for oversight of the public child welfare system, ensuring the safety, permanence and well-being of children and families. The National Conference of State Legislatures' (NCSL) Child Welfare Project in the Children and Families Program tracks this activity through its yearly compilation of state legislative enactments.

During the 2013 legislative session, NCSL identified at least 296 child welfare-related bills enacted in approximately 44 states. This report provides an overview of those enactments in the following major topic areas: administration/oversight, adoption, child fatality, child protection, courts and legal representation, education of children in foster care, foster care, infant abandonment, kinship care, prevention, reporting of child abuse, services for older youth, shaken baby syndrome prevention, siblings, termination of parental rights, and Tribes. The largest number of legislative enactments occurred within the

topics of foster care, child protection and reporting.

Within the major topic areas listed above, NCSL noted several important trends in state child welfare policy enactments in 2013. These included:

- States extending foster care, and other services for youth in care, to age 21;
- Mandating comprehensive health or mental health services;
- Providing support for older youth in care, such as tuition waivers, transitional planning, independent living and assistance with credit reports;

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- Support for relatives caring for children;
- Provisions to ensure better educational outcomes for children in care;
- Reinstatement of parental rights;
- Enactment of foster children’s bill of rights;
- Establishment of statewide home visitation programs to reduce child abuse and neglect;
- Licensing requirements for foster and kinship caregiver homes; and,
- Reporting of child abuse and neglect.

This document was prepared using StateNet, a legislative tracking database, to perform bill searches and analysis; summaries provided in this document and in the 50-state, online searchable database (please see the link below) are provided by StateNet. This document is intended to provide an overview of significant enacted legislation in each state and does **not** represent a comprehensive list of enacted bills and so does not include all child welfare legislative enactments. This document does not contain bills with technical changes, state budget appropriations bills, adopted resolutions, or Executive Orders. Please note that the total number of enacted bills do not add up due to bills that address multiple topics. Please contact Nina Williams-Mbengue at nina.mbengue@ncsl.org or (303) 856-1559 if you have questions or corrections.

To access the online, searchable database, which also includes 2012 enactments, please click [here](#) or go to the [NCSL Child Welfare Legislative Enactments webpage](#). Links to reports on 2011-2005 child welfare legislation are also available on this webpage.

Selected Bills by Category

The following categories provide a general overview of the highlights of selected child welfare enactments for 2013.

Administration/Oversight/Interagency Collaboration

At least 11 states enacted approximately 11 bills related to the administration and oversight of state child welfare systems and to interagency collaboration. Six states (**Arizona, Connecticut, Indiana, New Jersey, Texas** and **Washington**) examined important system-wide issues.

Arizona required the Departments of Economic Security, Health Services and the Health Care Cost Containment System to determine the most effective way to provide comprehensive medical, dental and behavioral health services for children in foster care. Connecticut mandated the development of a plan for meeting children’s mental, emotional and behavioral health needs that includes school and community-based mental health services integration and early intervention, training and a study on nutrition and psychotropic medications. **Indiana** established a Commission on Improving the Status of Children in Indiana to study issues concerning vulnerable youth, review legislation and cooperate with other agencies. The bill established a Child Services Oversight Committee to review data reports from the department of child services. The legislation also required the Oversight Committee to establish a child fatality review team in each county and to establish a statewide child fatality review committee. **New Jersey** reorganized the Department of Children and Families which included transferring the Division on Women into the department. **Texas** required the integration of behavioral health services, including targeted case management

and psychiatric rehabilitation services, and physical health services, into the Medicaid managed care program and required the development of a network of public and private behavioral health services to ensure that children with serious emotional disturbance have access to a comprehensive array of services. **Washington** required a university-based child welfare research entity to develop safety, permanency and well-being measurements for the child welfare system, using data provided by child welfare and other state agencies.

State lawmakers also worked on entities responsible for oversight and/or complaint handling of child welfare agencies. **Michigan** expanded the criteria for the office of the children's ombudsman investigations of victims of child maltreatment to include children who have died as a result of child abuse or neglect. **Montana** created an independent Office of the Child and Family Ombudsman. **Nebraska** lawmakers authorized a formal grievance process for the child welfare system. **North Carolina** established a Foster Care Ombudsman pilot program in one county.

Minnesota created the Cultural and Ethnic Communities Leadership Council charged with providing advice to the commissioner of human services on ways to reduce disparities that affect racial and ethnic groups.



Adoption

Lawmakers in at least 18 states enacted approximately 28 bills related to adoption.

Major topics covered by the legislation included adoption assistance, post-adoption contact agreements, incentives to adoption, inter-country adoptions, Interstate Compact on the

Placement of Children, adoption hearings, and putative fathers. Highlights of the legislation included the following:

Assistance to adoptive families and adoptees.

Kentucky legislation extended the five-year tuition waiver eligibility period for adopted children if an institution determines that the student was unable to enroll or complete an academic term due to service in the US Armed Forces, the Commissioned Corps of the United States Public Health Service, Peace Corps or Americorps. **Maine** addressed procedures related to adoption assistance and **Mississippi** and **Utah** provided income tax credits for adoptive families.

Incentives for adoption from foster care.

Louisiana provided incentives for foster children to be placed with adoptive parents, including adoption subsidies. The legislation also provided for incentives for the adoption of children with special needs and provided for one-time, non-recurrent payments for expenses associated with the legal adoption. Children eligible for adoption are now also eligible for health insurance coverage under their adoptive parents' insurance plans and they are eligible for the Louisiana children and youth health insurance program. The legislation authorized an expedited procedure for finalizing adoptions that include allowing the court to: retroactively apply the necessary waiting period, waive any additional home study if the adoptive parents have been the foster parents for six months, and order the approval of the adoptive placement without the need for a hearing if the adoptive parents were previously approved as foster parents for the child.

Addressing confidentiality issues. Legislators in **Georgia** and **Utah** provided for post-adoption contact agreements and **Oregon** tackled access to certain adoption records.

Other. Delaware lawmakers established that gestational carrier arrangements are legal contracts, recognized the need for legal recognition of parental rights before birth and provided that a married couple includes two people who are parties to a civil union. An **Illinois** adoption law added to the definition of unfit parent to include a parent who fails to make reasonable efforts to correct certain conditions or reasonable progress toward return of the child. **North Carolina** lawmakers enacted a major revision of adoption laws. **Illinois** and **Louisiana** enacted laws on inter-country adoptions. **Illinois** and **Kentucky** amended their laws related to the Interstate Compact for the Placement of Children. **Kansas** addressed adoption hearings. **Idaho** and **Utah** enacted provisions regarding putative fathers.

Child Fatality/Near Fatality

At least 10 states enacted approximately 11 bills related to child fatality or near fatality. Topics addressed in the laws included: the establishment of various types of child fatality review teams, adding near fatality to the types of cases to be reviewed by review teams, confidentiality of records, and, procedures in cases where there is the death of a child in custody of the child welfare agency. **Colorado** required county or district public health agencies to establish local or regional child fatality prevention review teams under the purview of the Department of Public Health and Environment. **Kentucky** lawmakers required the establishment of an external child fatality and near fatality review panel. **Arkansas** legislation allowed the department to identify if child maltreatment occurred before or after the child was placed in custody of the department.



Child Protection

At least 26 states enacted approximately 62 bills related to the protection and safety of children.

Topics covered included child protective services, child abuse investigations, criminal history background checks, definitions of child abuse, confidentiality of records, child abuse hotlines, child abuse interviews, mandatory reporting, statutes of limitation in child sexual abuse cases, alternative or differential response, central child abuse registries, and, child advocacy centers. Below are highlights, by selected sub-categories, of the 2013 legislation:

Child abuse reporting. Colorado created a child abuse reporting hotline system and mandated a Task Force on Children Conceived by Rape. The legislation also allowed for termination of the parent-child relationship in cases where the child was conceived as a result of sexual assault. **Maryland** required health practitioner reporting of substance-exposed newborns, but specified that the report does not create a presumption of child abuse.

Child abuse investigations and interviews. Connecticut allowed the child welfare agency to interview children without parental consent if obtaining such consent would put the child at imminent risk of physical harm.

Child advocacy and safety centers. Arkansas lawmakers required child safety centers, during an investigation, to ensure access to specialized mental health services. **Maine** established child advocacy centers in the state's public health districts to be responsible for coordinating the investigation and prosecution of child sexual abuse.

Definitions. **Hawaii** defined certain types of physical force used to discipline minors as unjustifiable. These include throwing, kicking, biting, cutting, shaking a minor under three, striking with a closed fist, interfering with breathing or threatening with a deadly weapon.

Disclosure of and access to information.

Arizona required that the Department of Economic Security disclose CPS information to a county medical examiner in child death investigations. **Maryland** authorized officials of public institutions of higher education to have access to reports of child maltreatment by employees or independent contractors.

Emergency and Crisis Care. **Washington** established a resource and assessment center licensure category for agencies to provide short-term emergency and crisis care for children removed from their homes.

Penalties. **North Carolina** enacted “Caylee’s Law” which makes it a crime to fail to report the disappearance of a child to law enforcement.

Statutes of limitations in child sexual abuse cases. **Minnesota** removed the existing statute of limitation in child sexual abuse cases.

Courts and Legal Representation

Lawmakers in at least 27 states enacted approximately 49 bills related to courts and legal representation. These included: revisions to dependency and permanency hearings, guardian ad litem requirements, timelines for juvenile court hearings, requirements for notice of court hearings, and protections for child witnesses. **Arkansas** provided that all parents and custodians in dependency neglect proceedings have a right to counsel. **Georgia** and **North Carolina** undertook major revisions of provisions related to juvenile proceedings. **Idaho, Illinois, Maine, Minnesota, Oklahoma,**

Texas and **Utah** addressed guardian ad litem laws. **Maryland** required notice to pre-adoptive parents and foster parents of certain court proceedings. **Utah** required the 2013 Health and Human Services Committee to study statewide practice standards to assist the Child Welfare Parent Defense Program. **West Virginia** created procedures and protections for child witnesses in child abuse and neglect proceedings.



Education of Children in Foster Care

At least 13 states enacted

approximately 15 bills on the education of children in foster care. Click [here](#) to view NCSL’s “Educating Children in Foster Care: 2008-2012 Legislation” publication for an overview of state legislation and programs to ensure educational opportunity and success for children in foster care. In 2013, topics addressed through legislation included tuition waivers for foster children, foster child visits to state universities, sharing of information, funding of educational programs for children in group or residential treatment care, residency requirements for children in kinship care, and provision of educational liaisons and decision-makers for foster children. Below are selected highlights of the legislation.

Educational needs, goals and stability of children in foster care. **Louisiana** provided that children in care may remain in the school in which they were enrolled at the time of foster care placement; they may also enroll in the school district in the foster care placement and they can attend nonpublic and parochial schools, or home study programs, attended by the other children in the foster care placement.

Texas required a child's guardian ad litem to determine whether a child's educational needs and goals have been identified and addressed prior to each scheduled hearing. The legislation also allowed the court to appoint a surrogate parent for children in care who are eligible to participate in a school district's special education program to ensure that a child's educational rights are protected. In appointing the surrogate parent, the court must give preference to a foster parent, followed by a relative, then a court-appointed volunteer advocate; the court may not appoint anyone from the department, the Texas Education Agency, a school district or any other agency involved in the education or care of the child.

Educational decision-making for children in foster care. **Virginia** allowed children in kinship care to enroll in the school district where the kinship care provider resides and allowed local school divisions to require affidavits detailing the kinship care arrangement and power of attorney authorizing the adult relative to make educational decisions regarding the child.

Education for older youth in foster care.

Missouri required that all foster youth ages 15 or older receive a visit to a state university, technical college or armed forces recruiter before they may be adopted or otherwise terminated by foster care. **Washington** expanded its Passport to College Promise Program eligibility and required an annual report on educational outcomes for youth in foster care.

Tuition waivers for foster youth were addressed in **Maryland, New Hampshire** and **Oregon**.



Foster Care

Lawmakers in at least 31 states enacted approximately 88

bills related to foster care. Topics covered by states in their foster care enactments included licensing, permanency goals, Interstate Compact on the Placement of Children, creation of Title IV-E child welfare waiver demonstration projects, state agency internship positions for current or former foster children, mental and behavioral health care coordination, rights of children and youth in care, implementation of statewide standardized level of care assessments, standards for contracts with foster placement providers, increased accountability and awareness for making medical decisions (including those related to psychotropic medication planning) for children and youth in care, and parent and sibling visitation for children in foster care. Following are enactments in a limited number of sub-categories. Please see the sections on Kinship Care, the Education of Children in Foster Care and Services for Older Youth in Care for additional foster care-related 2013 enactments. Go to the NCSL child welfare [2013 50-state online searchable database](#) to see more enactments.

Health and mental health. **Arizona** required the Departments of Economic Security, Health Services and the Health Care Cost Containment System to determine the most effective way to provide comprehensive medical, dental and behavioral health services for children in foster care. **Connecticut** mandated the development of a plan for meeting children's mental, emotional and behavioral health needs that includes school and community-based mental health services integration and early intervention, training and a study on nutrition

and psychotropic medications. **Texas** increased accountability for those making medical decisions by defining informed consent, required notification of biological parents regarding changes in the psychotropic medication plan for their youth in foster care, required the authorized medical consentor for a child in foster care to ensure the child sees the prescribing physician at least once every 90 days, strengthened training on psychotropic medications and provided additional tools to the child's guardian ad litem, caseworker, attorney and court to protect the child's health and safety.

Interstate Compact on the Placement of Children. **Arkansas** enacted provisions related to the Interstate Compact on the Placement of Children and redefined priority placement to include when a child is moved between states to be placed with a relative and there is an unexpected dependency due to parental incarceration, incapacitation or death.

Licensing. At least two states enacted provisions to assist foster parents and kinship care providers with licensing requirements. **Arizona** removed the requirement that a foster parent immunize their natural or adoptive children as a condition of licensure, extended the period of validity of a foster care license from one to two years, allowed a foster parent to change a licensure renewal date and provided criteria allowing child welfare agencies to place children in foster homes exceeding the maximum child limit if the home has siblings currently residing in the foster home, is part of a sibling group being considered for placement in the foster home, has previously resided in the foster home, or is a kinship placement for the foster home. **Nebraska** required the child welfare agency to promulgate rules and regulations establishing new foster home licensing requirements that ensure children's

safety, health, and well-being but minimize the use of licensing mandates for non-safety issues with a goal of providing alternatives to address non-safety issues regarding housing and provide assistance to families in overcoming licensing barriers. An initial safety, protection and immediate health, educational, developmental and emotional assessment must be completed. Kinship homes and relative homes are exempt from licensure; however, such homes should make efforts to be licensed if such license will facilitate the permanency plan of the child. The department may issue a waiver for any licensing standard not related to children's safety for a relative home that is pursuing licensure. The relative home that receives a waiver will be considered fully licensed for purposes of federal reimbursement under the federal Fostering Connections to Success and Increasing Adoptions Act of 2008.

Rights of children in foster care. **North Carolina** and **Oregon** enacted foster children's bill of rights laws to protect children in care. **Nevada** added to the rights of children in foster care the right to have regular contact with their siblings and not to have visitation withheld as a form of punishment.

Title IV-E child welfare demonstration waivers. **Colorado** created the Title IV-E waiver demonstration project to enable counties to test interventions that will increase permanency, positive outcomes, safety and well-being of children and their families. The legislation authorizes the state to enter into performance agreements with participating counties or groups of counties. **Texas** required the child welfare agency to apply for a Title IV-E child welfare demonstration waiver. Click [here](#) to view NCSL's Title IV-E Child Welfare Demonstration Waivers page to learn more about the waivers allowing states to use federal IV-E funds to test new service delivery

and financing for child welfare.



Fostering Connections and Increasing Adoptions Act of 2008

At least 14 states enacted approximately 18 bills in response to the federal

Fostering Connections and Increasing Adoptions Act of 2008 that addressed major provisions of the act, including independent living services for older youth in care, extending foster care beyond age 18, extending Medicaid eligibility for children placed in subsidized guardianships, transition planning for older youth in care, and extending guardianship services and supports. Click [here](#) for an overview of the act. Below are highlights of the enactments in selected sub-categories.

Assistance to older youth in foster care.

Delaware required the Department of Services for Children, Youth and Their Families to create and maintain a developmentally appropriate, comprehensive program that fully integrates independent living services from ages 14 to 21 and which will assist foster youth with their successful transition into adulthood. **Florida** addressed court jurisdiction until the child reaches 21 years of age, provided exceptions for extended foster care and required the Department of Children and Families and a community-based care provider to assist in developing transition plans. **Hawaii** established the young adult voluntary foster care program to care for and supervise eligible foster youth until their twenty-first birthday. **Missouri** raised the age limit for when a youth may reenter foster care. **Nebraska** adopted the Young Adult Voluntary Services and Support Act for former state wards in transition to adulthood, addressed independent living transition

proposals, extended guardianship services and support, addressed medical care, housing, placement, case management and support payments, and provided for special immigrant juvenile status. **Virginia** lawmakers requested the Department of Social Services to develop and present options for implementing the extension of foster care maintenance and adoption assistance payments for individuals up to 21 years of age. **Washington** provided for the extension of foster care for youth over a specified age if they are participating in a program or activity designated to promote or remove barriers to employment, provided the services to be included in extended foster care, provided that youth in foster care must be informed of such extension at a specified age, and authorized the placement of youth over a specified age through a voluntary placement agreement.

Supporting relative caregivers and children and youth in their care. **Montana** extended Medicaid eligibility for minors placed in a subsidized guardianship.

Funding of Child Welfare Services

In at least 15 states approximately 25 bills were enacted related to the funding of the child welfare system. **Arizona**, as part of the requirement for the development of comprehensive medical, dental and behavioral health services in foster care, required a quarterly financial and program accountability trends report on those services. **Arizona** also addressed criminal justice funding for child welfare services. **Nebraska** created a Foster Care Reimbursement Rate Committee to develop recommendations for a foster care reimbursement rate structure to bring foster care payment rates in line with the rest of the country and to ensure retention and recruitment of quality foster families.

South Dakota required school districts to provide funding for educational programs for children in residential treatment centers or licensed group care centers.



Infant Abandonment/Safe Surrender

At least 3 states adopted legislation related to their infant abandonment/safe surrender/safe haven laws. **Louisiana** now requires all high school students, not just those enrolled in Health Education, to receive instruction on the state's safe haven law. **Missouri** also required high school students to receive instruction on the law and **New Mexico** added fire stations and law enforcement agencies to the list of safe havens.



Kinship Care

At least 11 states enacted approximately 13 bills to support relative caregivers. Topics covered included definitions for fictive kin, extending Medicaid eligibility for children in subsidized guardianship, licensing, relative identification, authority of relatives to obtain medical care for and enroll children in school, expedited relative placements, and priority for relative placement.

Arkansas added fictive kin as a placement option and redefined priority placement to include when a child is moved between states to be placed with a relative and there is an unexpected dependency due to parental incarceration, incapacitation or death. **Oregon** authorized relatives to consent to medical treatment and educational services for children in their care. **South Carolina** encouraged placement of a child with a grandparent or relative. **Virginia** allowed children in kinship

care to enroll in the school division where the kinship care provider resides and allowed local school divisions to require affidavits detailing the kinship care arrangement and power of attorney authorizing the adult relative to make educational decisions regarding the child.

Prevention/Treatment/Training

At least 17 states enacted approximately 29 bills on the prevention and treatment of child maltreatment and on training for child welfare system stakeholders. **Arkansas, Hawaii, New Mexico** and **Texas** enacted home visitation programs to reduce the incidence of child abuse and neglect. **Arkansas** and **Nevada** created task forces for child sexual abuse prevention education and training. **Mississippi** created an Erin's Law Study Committee to consider the development of a school curriculum for the prevention of child sexual abuse. **Tennessee** enacted the Safe Harbor Act of 2013 which provides referrals for pregnant, substance-abusing women.

Reporting of Child Abuse or Neglect

In 2013, at least 19 states enacted approximately 29 bills on the reporting of child abuse or neglect. Go [here](http://www.ncsl.org/research/human-services/mandatory-rprt-g-of-child-abuse-and-neglect-2013.aspx) (<http://www.ncsl.org/research/human-services/mandatory-rprt-g-of-child-abuse-and-neglect-2013.aspx>) to view NCSL's 2013 chart of mandatory reporting enactments. States added a variety of professionals to the list of those required to report suspected child maltreatment including physical therapists, employees of public and private post-secondary schools, public or private school counselors, mental health paraprofessionals, higher education officials, reproductive healthcare facility employees, directors, coaches, assistant coaches, athletic program personnel for private sports programs, emergency medical service providers, candidates for psychologist, marriage

and family therapist and licensed professional counselor positions. Below are selected examples of the legislation.

Connecticut prohibited employers from hindering employees making reports or from testifying in child abuse or neglect proceedings. **Maryland, Nevada, North Carolina** and **Texas** set penalties for failing to report suspected child abuse or neglect. **Illinois** created the offense of failure to report sexual abuse of a child and created a reporting exception for privileged communication between an attorney and his or her client. **Louisiana** and **Oregon** addressed training for mandatory reporters. **Montana** required the child welfare agency to provide specific information on a report to a mandatory reporter. **Texas** required school district, open-enrollment charter school and higher education employees to report child abuse or neglect and required training for employees in higher education institutions who are professionals responsible for recognizing and preventing child sexual abuse.



Services for Older Youth

At least 14 states enacted approximately 21 bills

to support older youth in foster care in the areas of education; extending foster care and other services; independent living skills; and, transitional planning. Below are selected bills by sub-category.

Credit reports for foster youth. To assist foster youth with developing financial security, **Colorado** enacted provisions related to protecting foster care youth against identity theft. **Illinois** and **Maryland** required security freezes on the credit reports of minors in foster care. **Connecticut** required the child welfare agency to provide a foster youth's attorney or

guardian ad litem a copy of the youth's credit report to review for identify theft. **Nevada** required the child welfare agency to obtain and review credit reports of foster children. **Oregon** lawmakers required the child welfare agency to establish a Foster Children's Bill of Rights which is to include information on how to obtain a credit report. **Texas** required youth's transition planning to include understanding credit scores.

Education for older youth in foster care.

Connecticut gave priority to current or former foster children seeking state agency internships. **Missouri** required that all foster youth ages 15 or older receive a visit to a state university, technical college or armed forces recruiter before they may be adopted or otherwise terminated by foster care. Tuition waivers for foster youth were addressed by lawmakers in **Maryland, New Hampshire** and **Oregon**.

Extending care and services beyond age 18.

California extended the state's Medicaid program benefits, as long as federal financial participation is available, to foster youth between ages 18 and 26. **Florida** extended court jurisdiction to age 21 for youth in foster care. **Hawaii** established the young adult voluntary foster care program for youth up to 21. **Missouri** raised the age limit for when youth may re-enter foster care and **Nebraska** adopted the young adult voluntary services and support act for former foster youth transitioning into adulthood. **Nebraska** also extended Medicaid eligibility to former foster care youth to age 26. **Virginia** lawmakers requested that the department of social services develop and present options for extending foster care, and providing adoption assistance payments, for youth up to 21 years of age. **Washington** provided for extension of foster care for youth over a specified age if they are participating in a program to address employment barriers.

Independent living services. **Delaware** required the creation of a developmentally appropriate, comprehensive program of independent living services for foster youth ages 14 to 21. **Virginia** allowed independent living services for youth 18 to 21 who were released from the Department of Juvenile Justice after 18 and who had been in the care of social services or a child-placing agency at the time they were committed to the Department of Juvenile Justice.

Transition planning. **Arkansas, Florida** and **Nebraska** addressed transition planning. **Texas** required that foster care providers assist youth 14 or older in obtaining experiential life-skills including the use of public transportation to improve youth's transition to adulthood and included resources to manage medications after exiting foster care as part of transition planning.

Shaken Baby Syndrome Prevention

During the 2013 legislative session, at least one state addressed shaken baby syndrome prevention. **Arkansas** authorized a comprehensive educational program on the prevention of the syndrome.



Siblings

At least four states enacted approximately five bills on siblings in foster care. **Iowa** required the department to notify (within 30 days of an order in a child in need of assistance proceeding) the parents of the siblings of a child that has been taken into custody. **Nevada** added regular contact with a sibling to the rights of children placed in foster care; similarly, **North Carolina** added first priority regarding placement in a home with

siblings. **Utah** required the 2013 legislative Health and Human Services Interim Committee to make a report to include proposals to keep siblings placed in foster care together. **Washington** directed the child welfare agency to attempt the maximum child and sibling interaction possible when children are placed in care and that contact or visitation with siblings are not to be used as an incentive to change children's behavior.

Termination of Parental Rights

At least 18 states enacted approximately 21 bills related to termination of parental rights.

Colorado, Hawaii and **Montana** provided for termination of parental rights proceedings upon a finding that a child was conceived as a result of sexual assault; **Colorado** also created a Task Force on Children Conceived by Rape. **Arkansas, Delaware, Minnesota, Utah** and **Virginia** allowed for the reinstatement of parental rights and **Illinois** specified that a motion to reinstate parental rights may be filed only by the Department of Children and Family Services or a minor when certain specified conditions are met. **Washington** lawmakers addressed the rights of incarcerated parents in termination proceedings.

Tribes

Iowa, Minnesota, Oregon and **Washington** enacted legislation related to Tribal child welfare. **Iowa** required county attorneys, in their duty to represent the child welfare agency in juvenile court, to comply with the requirements of the Iowa and the federal Indian Child Welfare Act. **Minnesota** required the court to transfer pre-adoptive and adoptive placements of Indian children, not within specified jurisdictions, to the jurisdiction of the Tribe. **Oregon** provided for out of home placement of an Indian child, under age 16, who is under the jurisdiction of a Tribal court.

Washington lawmakers enacted legislation that allows the child welfare agency to purchase child welfare services for an Indian child directly from a federally recognized Tribe or Tribally licensed child-placing agency. Additionally, the purchase of care for an Indian child in the custody of a federally recognized Tribe or Tribally licensed child-placing agency is exempt from performance-based contracting requirements.

