

Preventing Sex Trafficking and Strengthening Families Act of 2014  
State Legislative Enactments

President Obama signed the Preventing Sex Trafficking and Strengthening Families Act into law on Sept. 29, 2014. The act requires certain data collection and reporting by states regarding sex trafficking, including the identification of children who may be at high-risk of becoming sex trafficking victims, particularly current and former foster children. In addition, the act provides various changes to existing law regarding child welfare, including some required state action in areas of foster parenting, adoption incentive payments, and others. Below please find recent state legislative enactments in response to various provisions of the act.

Preventing Sex Trafficking Provisions (Child Placement/Identification/Assessment/  
Treatment/Services for Child Victims; Missing Children)

State/Bill	Statute/Title
<b>2015 Enactments</b>	
<b>Arkansas SB 1012—Act 1138</b>	Relates to human trafficking, amends the definition of a child placement agency to include an entity that places, plans for the placement or assists in the placement of a child victim of human trafficking in a home or any type of shelter or facility, relates to nonimmigrant visa certification by law enforcement, training regarding fines for the Safe Harbor Fund for Sexually Exploited Children and education of prosecutors regarding such fines.
<b>California AB 93—Act 10</b>	Funds appropriated in this item for the Commercially Sexually Exploited Children Program required by Chapter 5.2 (commencing with Section 16524.6) of Part 4 of Division 9 of the Welfare and Institutions Code shall be appropriately reduced by the Department of Finance to the extent any activities for which funding is included are also required by the Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113-183).
<b>California SB 97—</b>	Funds appropriated in this item for the Commercially Sexually Exploited Children Program required by Chapter 5.2 (commencing with Section 16524.6) of Part 4 of Division 9 of the Welfare and Institutions Code shall be appropriately reduced by the Department of Finance to the extent any activities for which funding is included are also required by the Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113-183).
<b>California SB 101—Act 321</b>	Funds appropriated in this item for the Commercially Sexually Exploited Children Program required by Chapter 5.2 (commencing with Section 16524.6) of Part 4 of Division 9 of the Welfare and Institutions Code shall be appropriately reduced by the Department of Finance to the extent any activities for which funding is included are also required by the Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113-183).
<b>California SB 794—Act 425</b>	Requires the county child welfare agencies to develop and implement policies and procedures to provide appropriate services for children and youth who are receiving child welfare services pursuant to federal law and are, or are at risk of becoming, victims of commercial sexual exploitation. Requires implementation of a related case management system on foster children who are risk for such exploitation. Relates to investigating reports of such exploitation.

<p><b>Colorado</b> <b>HB 1019—Act 237</b></p>	<p>Requires the Human Trafficking Council to determine whether legislation should be enacted concerning the prosecution of or granting immunity to a child victim of commercial sexual exploitation, the creation of other legal protections including related defenses, or standards, guidelines or mandates regarding the appropriate assessment, placement and treatment of child victims of commercial sexual exploitation.</p>
<p><b>Georgia</b> <b>SB 8—Act 95</b></p>	<p>Georgia required the department, the Office of the Child Advocate, the Criminal Justice Coordinating Council and law enforcement to develop a plan for the delivery of services to children who are, or at risk of becoming, sexually exploited or victims of sex trafficking. The plan is to include: identifying children who need services; assisting with applying for federal and state benefits and services; coordinating the delivery of medical and mental health, housing, education, job training, child care, legal and other services; increasing awareness through preparing and disseminating training materials; developing community-based services; and, assisting with family reunification.</p>
<p><b>Illinois</b> <b>SB 1763—Act 350</b></p>	<p>Provides for a workgroup to review treatment programs for youth in the Department of Children and Family Service's care who are sex trafficking victims, provides for a review of secured therapeutic residential care laws and rules, a pilot program of multi-dimensional treatment foster care for certain children, promotion of a human trafficking hotline, reporting of suspected abuse or neglect by staff in child care facilities or child welfare agencies, release of certain information, and related matters.</p>
<p><b>Minnesota</b> <b>HB 3—Act 1</b> <b>HB 6—Act 6</b></p>	<p>Minnesota legislators appropriated funds for the housing trust fund account and directed that the account give priority to projects that focus on creating safe and stable housing for homeless youth or on projects that provide housing to trafficked women and children. They also specified funding from the general fund for emergency shelter and transitional and long-term housing beds for sexually exploited youth and youth at risk of sexual exploitation, and for statewide youth outreach workers assist sexually exploited youth and youth at risk of sexual exploitation to access shelter and services.</p>
<p><b>Minnesota</b> <b>SB 1458—Act 71</b></p>	<p>Sec. 59. Minnesota Statutes 2014, section 260C.212, is amended by adding a subdivision to read: (g) The local social services agency shall determine appropriate services as described in section 145.4717 with respect to any child for whom the local social services agency has responsibility for placement, care, or supervision when the local social services agency has reasonable cause to believe the child is, or is at risk of being, a sex trafficking victim.</p>
<p><b>Oklahoma</b> <b>HB 1078—Act 173</b></p>	<p>Directs DHS to establish policies and training for identifying children and youth in its care who are at risk of sex trafficking and to determine the appropriate service.</p> <p>The Department of Human Services shall, in consultation with state and local law enforcement, juvenile justice systems, health care providers, education agencies, and organizations with experience in dealing with at-risk children and youth, establish policies and procedures, including relevant training for caseworkers, for identifying, documenting in agency records and determining appropriate services for children and youth at risk of sex trafficking.</p> <p>The policies and procedures shall be developed for every child or youth over whom the department has responsibility for placement, care or supervision and shall apply when the department has reasonable cause to believe a child or youth is currently, or is at risk of being, a victim of sex trafficking, including a child or youth: a. for whom the department has an open case file, but who has not been removed from the home, b. who has run away from foster care and who has not attained 18 years of age, or c. who is not in foster care but is receiving services</p>
<p><b>Texas</b> <b>HB 418—Act 338</b></p>	<p>Provides for child victims of trafficking who are placed in secure foster homes or secure foster group homes if the court finds that the placement is in the best interests of the child and the child's physical health or safety is in danger because the child has been</p>

	recruited, harbored, transported, provided or obtained for forced labor or commercial sexual activity. Requires mental health services, behavioral health care, sexual assault treatment, tailored education and substance abuse screening.
<b>Texas</b> <b>HB 1217—Act 713</b>	GOVERNOR'S PROGRAM FOR VICTIMS OF CHILD SEX TRAFFICKING. (a) The governor shall establish and implement a program to provide comprehensive, individualized services to address the rehabilitation and treatment needs of child victims of an offense under Section 20A.02(a)(7) or (8), Penal Code. (b) The governor shall appoint a director of the program to serve at the pleasure of the governor. (c) The director of the program shall coordinate with state and local law enforcement agencies, state agencies, and service providers to identify victims of child sex trafficking who are eligible to receive services under the program. (d) For each victim of child sex trafficking identified by the director, the program shall immediately facilitate the assignment of a caseworker to the victim to coordinate with local service providers to create a customized package of services to fit the victim's immediate and long-term rehabilitation and treatment needs. Services provided under the program must address all aspects of the medical, psychiatric, psychological, safety, and housing needs of victims.
<b>Texas</b> <b>HB 2070—Act 1057</b>	Relates to certain requirements for certain facilities licensed by the Department of Family and Protective Services and the department's enforcement authority, makes changes relating to notice and hearing requirements and residential operations providing services to children who are victims of trafficking, removes certain fees for child-care facility and child-placing agency licensure, makes changes concerning enforcement policies and administrative penalties, provides for certain cease and desist orders.
<b>Virginia</b> <b>HB 5002—Act 2</b>	I. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to contract with Youth for Tomorrow (YFT) to provide comprehensive residential, education and counseling services to at-risk youth of the Commonwealth of Virginia who have been sexually exploited, including victims of sex trafficking. The contract shall require YFT to provide individual assessments/individual service planning, individual and group counseling, room and board, coordination of medical and mental health services and referrals, independent living services for youth transitioning out of foster care, active supervision, education, and family and family reunification services. Youth for Tomorrow shall submit monthly progress reports on activities conducted and progress achieved on outputs, outcomes and other functions/activities during the reporting period. On Oct. 1 of each year, YFT shall provide an annual report to the governor and the chairmen of the Senate Finance and House Appropriations committees that details program services, outputs and outcomes.

## Missing Children and Youth

<b>2015 Enactments</b>	
<b>California</b> <b>SB 794</b>	<p>This bill would additionally require the county probation or welfare department to immediately, or in no case later than 24 hours from receipt of the information, report to the law enforcement agency having jurisdiction over the case any known or suspected instance of child abuse involving an allegation of commercial sexual exploitation, as defined, of a child or youth receiving child welfare services. The bill would also require the county probation or welfare department to make a report to the appropriate law enforcement authority for entry into the National Crime Information Center database of the Federal Bureau of Investigation and to the National Center for Missing and Exploited Children within 24 hours of becoming aware that a child or youth who is receiving child welfare services and who is known or suspected to be the victim of commercial sexual exploitation is missing or has been abducted.</p> <p>Provides for law enforcement reports of missing children at high risk of harm and to the administration of missing or exploited children prevention grants to qualified nonprofit organizations. Provides for the option to declare a child under 14 years of age and otherwise determined by the local law enforcement agency or the Department of Public Safety to be at a high risk of human</p>

	trafficking, sexual assault, exploitation, abuse or neglectful supervision.
<b>Colorado</b> <b>HB 1078—Act 41</b>	Requires the State Department of Human Services or a county department of human or social services that has legal custody of a child or youth to report the child’s or youth’s disappearance to the National Center for Missing and Exploited Children and to law enforcement immediately, or no later a specified time period after learning of the disappearance, for entry into the National Crime Information Center Database.
<b>Connecticut</b> <b>HB 6899</b>	Sec. 13. (NEW) (Effective July 1, 2015) The Department of Children and Families shall report any missing or abducted child who was committed to the custody of the commissioner to the law enforcement authority having jurisdiction over the geographical area from which the child was reported missing or was abducted. The department shall make such report immediately, but in no case later than 24 hours after the child is determined to be missing or abducted, to the Federal Bureau of Investigation’s National Crime Information Center and to the National Center for Missing and Exploited Children.
<b>Illinois</b> <b>SB 1775—Act 351</b>	Requires any child or person in the care of the Department of Children and Family Services who is placed in a residential facility to be reported as missing if there is no contact between a facility employee and the child or person within a certain period and the child or person is absent from the facility without approval. Provides for notification of caseworkers. Reports to the National Center for Missing and Exploited Children and to a sheriff, certain care plans, and missing person’s alerts.
<b>Indiana</b> <b>HB 1216—Act 23</b>	Requires the superintendent of the state police department to provide a pamphlet that includes information concerning the National Center for Missing and Exploited Children and the National Runaway Safeline and to distribute the pamphlet to every law enforcement agency. Requires a law enforcement agency to provide the pamphlet to a person making a report of a missing child. Provides a defense to the crime of prostitution for a child who was a victim of human or sexual trafficking.
<b>MN</b> <b>SB 1458—Act 71</b>	Subd. 13. Protecting missing and runaway children and youth at risk of sex trafficking. (a) The local social services agency shall expeditiously locate any child missing from foster care. (b) The local social services agency shall report immediately, but no later than 24 hours, after receiving information on a missing or abducted child to the local law enforcement agency for entry into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation, and to the National Center for Missing and Exploited Children. (c) The local social services agency shall not discharge a child from foster care or close the social services case until diligent efforts have been exhausted to locate the child and the court terminates the agency’s jurisdiction. (d) The local social services agency shall determine the primary factors that contributed to the child’s running away or otherwise being absent from care and, to the extent possible and appropriate, respond to those factors in current and subsequent placements. € The local social services agency shall determine what the child experienced while absent from care, including screening the child to determine if the child is a possible sex trafficking victim as defined in section 609.321, subdivision 7b. (f) The local social services agency shall report immediately, but no later than 24 hours, to the local law enforcement agency any reasonable cause to believe a child is, or is at risk of being, a sex trafficking victim. (g) The local social services agency shall determine appropriate services as described in section 145.4717 with respect to any child for whom the local social services agency has responsibility for placement, care, or supervision when the local social services agency has reasonable cause to believe the child is, or is at risk of being, a sex trafficking victim.
<b>Nevada</b> <b>AB 324</b>	Existing state law requires a law enforcement agency to request certain identifying information from the parent or guardian of a missing child who is less than 16 years of age or has not been located within 30 days after being reported missing. (NRS 432.200) Existing law also requires a law enforcement agency that receives and verifies a report of a missing child, other than a child who has run away, to immediately transmit the report to the program established by the attorney general to coordinate activities and information in this state concerning missing or exploited children. (NRS 432.205) Sections 2 and 3 of this bill

	<p>instead require a law enforcement agency to request such information and transmit such a report for any child who has been reported missing. Existing federal law requires a state agency that receives information concerning a missing or abducted child who has been placed in the custody of the agency to report the information immediately to the National Center for Missing and Exploited Children and the National Crime Information Center database established by the Federal Bureau of Investigation. Section 4 of this bill includes this requirement in state law. Existing federal law requires a state to develop and carry out specific protocols concerning children who have run away from foster care in order to receive certain federal funds. (42 U.S.C. § 671(a)(35)) Section 5 of this bill requires the Division of Child and Family Services of the Department of Health and Human Services to adopt regulations to implement such protocols.</p>
<p><b>Oklahoma</b> <b>HB 1078</b></p>	<p>When notified a child or youth has run away or is missing from a foster placement, the department shall, within 24 hours of notification, report such status of the child or youth to local law enforcement, the National Crime Information Center, and to the National Center for Missing and Exploited Children.</p>
<p><b>Oregon</b> <b>HB 223—Act 153</b></p>	<p>Directs Department of Human Services to appoint advisory committee to advise department regarding policies and procedures to coordinate statewide planning for delivery of services to runaway and homeless youth and their families, requires department to report annually to interim legislative committees on child welfare regarding status of system of services and support and advice and information provided by advisory committee.</p>
<p><b>Texas</b> <b>HB 1793—Act 745</b></p>	<p>Provides for law enforcement reports of missing children at high risk of harm and to the administration of missing or exploited children prevention grants to qualified nonprofit organizations. Provides for the option to declare a child under 14 years of age and otherwise determined by the local law enforcement agency or the Department of Public Safety to be at a high risk of human trafficking, sexual assault, exploitation, abuse or neglectful supervision.</p>

## Case Planning

### 2015 Enactments

<b>2015 Enactments</b>	
<p><b>Arkansas</b> <b>HB 1671—Act 1033</b></p>	<p>Provides the Department of Human Services shall assist a juvenile in foster care or entering foster care with the development of a transitional life plan when the juvenile turns a specified age. Provides for juveniles who do not have the capacity to successfully transition into adulthood without the assistance of the Adult Protective Services Unit.</p>
<p><b>California</b> <b>SB 794—Chapter 425</b></p>	<p>This bill would require county child welfare agencies to develop case plans for youth 14 years of age or older and nonminor dependents in consultation with the youth, and would authorize each youth to choose up to two members of the case planning team, as specified. The bill would require that case plans for these youth include a description of specified rights and entitlements, as well as an acknowledgment signed by each youth that he or she was provided with this information. The bill would also require the case plan for a child or nonminor dependent who is, or who is at risk of becoming, the victim of commercial sexual exploitation, to document the services provided to address that issue.</p>
<p><b>Connecticut</b> <b>HB 6899—PA 15-199</b></p>	<p>The act requires DCF to consult with any child age 12 or older in its custody when developing or revising the child's permanency plan. The act allows the child to consult with up to two people who participate in his or her case plan, but not his or her foster parent or caseworker. One of the consultants may be designated the child's permanency plan development and revision advisor.</p> <p>The child must, if possible, also identify up to three adults with whom he or she has a significant relationship who may serve as permanency resources. These adults' names must be recorded in the child's case plan.</p>

	<p>Additionally, if the child is age 12 or older, the DCF commissioner must notify the parent or guardian, foster parent and child of any administrative case review of the child's commitment at least five days before the review and make a reasonable effort to schedule the review at a time and location that allow all the parties to attend.</p> <p>The act specifies that the court must ask the child or youth at the permanency plan hearing about his or her desired outcome. If the child or youth is unavailable, the child's attorney must consult with the child and report to the court the child's desired outcome. Additionally, if the child is age 16 or older and the goal in his or her plan is another planned permanent living arrangement, the act requires the court to:</p> <ol style="list-style-type: none"> <li>1. Determine that, as of the hearing date, such arrangement is the best permanency plan for the child and</li> <li>2. Document the compelling reasons why it is not in the child's best interest to return home or be placed with a fit and willing relative, legal guardian or adoptive parent.</li> </ol> <p>Case Plan Requirement By law, the commissioner must prepare and maintain a written plan for each child under her supervision, providing for the child's care, treatment, and permanent placement. It must include a diagnosis of the child's problems and a permanent placement goal. The act eliminates from the permissible list of plan goals (1) long-term foster care with an identified individual and (2) another planned permanent living arrangement. It adds to the allowable plan goals, for a child age 16 or older, another planned permanent living arrangement. The act specifies that this plan is the child's case plan.</p>
<p><b>Oklahoma</b> <b>HB 1078</b></p>	<p>Requires DHS to notify additional adult relatives upon removal of a child from the home. Changes, from 16 to 14, the age at which planning for the transition of a child in the custody of the department to successful adulthood will begin. The permanency plan for the child in transition to a successful adulthood shall be developed in consultation with the child and, at the option of the child, with up to two members of the permanency planning team to be chosen by the child, excluding the foster parent and caseworker for the child, subject to the following provisions:</p> <ol style="list-style-type: none"> <li>1. One individual selected by the child may be designated to be the adviser and, as necessary, advocate of the child, with respect to the application of the reasonable and prudent parent standard to the child; and</li> <li>2. The department may reject an individual selected by the child to be a member of the permanency planning team at any time if the department has good cause to believe that the selected individual would not act in the best interests of the child.</li> </ol>
<p><b>Texas</b> <b>SB 1117</b></p>	<p>Amends the Family Code to require the Department of Family and Protective Services (DFPS) to ensure that the transition plan provided to each youth 16 years of age or older under DFPS conservatorship to assist the youth in transitioning from foster care to independent living includes specified provisions to assist the youth in managing the youth's housing needs after the youth leaves foster care.</p>

### Documents Required for Youth Transitioning out of Foster Care

<b>2015 Enactments</b>	
<p><b>California</b> <b>SB 794—Chapter 425</b></p>	<p>Existing law requires a county welfare department, county probation department, or the state Department of Social Services to annually obtain a credit report, as specified, for a child in foster care who is 16 years of age or older. This bill would require that these services be provided to a child in foster care who is 14 years of age or older</p>

<b>Maryland</b> <b>SB 685—Act 46</b>	Requires that all children in foster care who are at least 18 years of age have a birth certificate, a Social Security card, health insurance information, medical records, and a driver’s license or state-issued identification card at emancipation, and information on the right to reenter care and the procedures for reentering foster care.
<b>Nevada</b> <b>AB 324</b>	Existing federal law that becomes effective on Sept. 29, 2015, requires each child in foster care under the responsibility of the state who is at least 14 years of age to receive a copy of his or her credit report each year until the child is discharged from care. Section 1 of this bill lowers the age of a child for whom an agency which provides child welfare services is required to obtain a credit report under state law from 16 years of age to 14 years of age to conform to this federal requirement.
<b>Oklahoma</b> <b>HB 1078</b>	A child about to leave foster care by reason of having attained 18 years of age and who has been in foster care for at least six months shall be given the following documents pertaining to the child: <ol style="list-style-type: none"> <li>1. An official or certified copy of the United States birth certificate.</li> <li>2. A Social Security card issued by the commissioner of Social Security.</li> <li>3. Health insurance information.</li> <li>4. A copy of the medical records of the child.</li> <li>5. A state-issued driver license or identification card.</li> </ol>
<b>Existing Statutes</b>	
Arkansas <a href="#">Ark. Code § 9-27-363</a>	Social Security card; Certified birth certificate or verification of birth record; family photos in the possession of the department; health records for the time the juvenile was in foster care and other medical records that were available; educational records for the time the juvenile was in foster care and any other educational records that were available or should have been available to the department.
Colorado <a href="#">Colo. Stat. § 26-5-101</a>	Birth certificate and Social Security card.
District of Columbia <a href="#">D.C. Stat. § 4-1303.72</a>	Birth certificate, Social Security card, state and district identification cards, immunization records, medical insurance information, education portfolios and health records, immigration documents, other personal information as deemed appropriate.
Florida <a href="#">Fla. Stat. § 39.701(3)</a>	Medicaid care and information on Medicaid program to prepare the child to apply for coverage; birth certificate, driver’s license or identification care, Social Security card, open bank account or necessary documents to open a bank account, educational records, health and mental health records.
Massachusetts <a href="#">Foster Children’s Bill of Rights</a>	Shall have access to information contained in medical, dental, and educational records held by DCF as well as personal documents such as Social Security card, birth certificate, green card, etc. When youth leave DCF, they shall be given copies of medical, dental and educational records held by DCF and original Social Security card, birth certificate, and green card.
Minnesota <a href="#">Minn. Stat. Ann. § 260C.203</a>	Social Security card; the child’s birth certificate; a state identification card or driver’s license, green card, or school visa; the child’s school, medical, and dental records; a contact list of the child’s medical, dental, and mental health providers; and contact information for the child’s siblings, if the siblings are in foster care.
North Carolina	Birth certificate, Social Security card, and health records.

N.C. Gen. Stat. § 131D-10.1	
Ohio Ohio Admin. Code § 5101:2-42-19	Birth certificate, original Social Security card, state identification card and information on obtaining a driver's license, a copy of the youth's health and education records.
South Carolina S.C. Code of Reg. R. § 114-595	Birth certificate; driver's license and/or an identification card; Social Security card; compilation of family history complete medical records; educational records.
Texas Tex. Fam. Code § 264.014	The child's birth certificate; immunization records; child's health passport; personal identification certificate; Social Security card or a replacement Social Security card; proof of enrollment in Medicaid, if appropriate.

### Prohibition of Another Planned Permanent Living Arrangement (APPLA)

#### 2015 Enactments

<b>Arkansas</b> <b>HB 1754—Act 1038</b>	Requires the department to document to the court a compelling reason for determining that it would not be in the best interest of the child to follow one (1) of the permanency plans identified in subdivisions (c)(1)-(7) of this section; (ii) The child is 16 years of age or older; and (iii) The court makes a judicial determination explaining why, as of the date of the hearing, another planned permanent living arrangement is the best permanency plan for the juvenile and the court the juvenile to: (a) Return home; (b) Be placed for adoption; (c) Be placed with a legal guardian; or (d) Be placed with a fit and willing relative. (d) At the permanency planning hearing on a juvenile 16 years of age or older, the court shall ask the juvenile his or her desired permanency outcome, or the attorney ad litem shall enter evidence concerning the child's wishes.
<b>California</b> <b>SB 794—Chapter 425</b>	This bill would revise various provisions relating to foster care and the placement of dependent children and wards of the juvenile court, to delete references to long-term foster care and to provide a minor 16 years of age and older, under certain circumstances, with another planned permanent living arrangement, as prescribed. The bill would require the court conducting the permanency hearing to make specified findings in this regard. The bill also would impose additional requirements on the county social worker or probation officer preparing the case plan and the social study required for children and nonminor dependents placed in another planned permanent living arrangement, as defined.
<b>Connecticut</b> <b>HB 6899—PA 15-199</b>	<p>The act eliminates (1) permanent placement with a relative from the list of allowable permanency plan goals for delinquents and (2) long-term foster care with a licensed or certified relative as a permanency plan goal for children committed to DCF voluntarily or for abuse or neglect (although DCF must still make efforts to place a child with a relative under other permanency plan provisions, as described below). It also limits the permanency plan goal of "another planned permanent living arrangement" to children age 16 or older.</p> <p>Under the act, if such a child's permanency plan goal is another planned permanent living arrangement, DCF must document for the court the:</p> <ol style="list-style-type: none"> <li>1. Manner and frequency of its efforts to return the child to his or her home or a secure placement with a fit and willing relative, legal guardian, or adoptive parent and</li> <li>2. Steps it has taken to ensure the (a) child's foster family home or child care institution is following a reasonable and prudent parent standard and (b) child has regular opportunities to engage in age and developmentally appropriate activities.</li> </ol>



<p><b>Nevada</b> <b>AB 324—Chapter 179</b></p>	<p>Existing federal law that becomes effective on Sept. 29, 2015, prohibits the placement of a child who is under 16 years of age in a permanent placement other than with the parent of the child, the adoption of the child or referral of the child for legal guardianship. (Preventing Sex Trafficking and Strengthening Families Act, Pub. L. No. 113-183, § 112) Section 6 of this bill authorizes an agency that provides child welfare services that has custody of a child who is 16 years of age or older to present evidence at a permanency hearing that there is a compelling reason for placing such a child in a different permanent living arrangement. Existing federal law requires a judge at a permanency hearing to: (1) ask the child about his or her desired permanency outcome; (2) if the judge determines that another permanency outcome is better for the child, to explain why; and (3) if the judge determines that it is not in the best interests of the child to return home, be placed for adoption or be placed with a legal guardian or relative, provide compelling reasons for that determination. (42 U.S.C. § 675a(a)(2)) Existing state law requires a judge at a permanency hearing to prepare an explicit statement of the facts upon which he or she based his or her determination regarding the best interests of the child. Section 6 revises this requirement to meet the federal requirements.</p>
<p><b>Oklahoma</b> <b>HB 1078</b></p>	<p>Provides that, when the permanency plan for a child who is 16 years of age is continued placement in the legal custody of DHS, the court inquire what permanency outcome the child desires and provide compelling reasons why it is not in the child’s best interest to return home or be placed for adoption. Limits a planned alternative permanent placement to a child age 16 or older. When a planned alternative permanent placement is the court-ordered permanency plan for the child, the court shall at each permanency hearing:</p> <ol style="list-style-type: none"> <li>(1) Ask the child about the permanency outcome the child desires.</li> <li>(2) Make a judicial determination, as of the date of the hearing, why a planned alternative permanent placement is the best permanency plan for the child and provide compelling reasons why it continues to not be in the best interests of the child to return home or be placed for adoption with a legal guardian or with a fit and willing relative.</li> </ol>
<p><b>Oregon</b> <b>HB 2908—Act 254</b></p>	<p>After reviewing each case, the local citizen review board shall make written findings and recommendations with respect to: For a ward 16 years of age or older with a permanency plan of another planned permanent living arrangement, the steps the department is taking to ensure that: (A) The ward’s substitute care provider is following the reasonable and prudent parent standard; and (B) The ward has regular, ongoing opportunities to engage in age-appropriate or developmentally appropriate activities, including consultation with the ward in an age-appropriate manner about the opportunities the ward has to participate in the activities.</p>