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**Children, Youth & Families Committee**

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**HB 2038**

**Brief Description:** Supporting children involved with child welfare services.

**Sponsors:** Representatives Caldier and Eslick.

**Brief Summary of Bill**

- Requires the Department of Children, Youth, and Families (DCYF) to provide exceptional cost payments to a licensed foster parent that receives placement of a child: (1) with challenging behaviors and who is at risk of placement disruption; or (2) who was placed in a group-care facility during the previous three months.
- Requires the DCYF to design and implement a process for identifying individuals applying for foster licensure that are willing and able to accept children ages 13 through 17, medically fragile children, and children with developmental disabilities and prioritize licensure for these individuals.
- Requires the DCYF to increase the staffing level for employees of the department providing child welfare services at least 20 percent above the staffing level that existed on January 1, 2022, until June 30, 2024.

**Hearing Date:** 1/26/22

**Staff:** Luke Wickham (786-7146).

**Background:**

*Foster Parent Licensure.*

When a child is placed in out-of-home care pursuant to a dependency court process, the child may be placed with relatives or in foster care. Foster parents are licensed by the Department of

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

Children, Youth, and Families (DCYF) to provide 24-hour temporary care to children placed in out-of-home care.

Individuals can apply for a foster parent license directly to the DCYF or through a child-placing agency (CPA). The CPAs are licensed by the DCYF and can certify that an individual meets the foster licensing requirements before the application is sent to the DCYF. The CPAs also provide ongoing case management to foster families.

To receive a foster parent license, an individual must:

- be age 21 or older;
- complete the following training, along with individuals age 18 or older in the household:
  - first aid;
  - age-appropriate adult and/or infant cardiopulmonary resuscitation;
  - human immunodeficiency virus/acquired immunodeficiency syndrome; and
  - blood borne pathogens;
- pass, along with certain household members, a background check;
- submit, along with individuals age 18 or older in the household, a negative tuberculosis test or an X-ray;
- submit proof of current immunization status for any children living on the premises, not in out-of-home care;
- serve foster children under age 2, submit proof of pertussis and influenza immunizations for all people living in the home;
- pass an assessment demonstrating an ability to provide a safe home and to provide the quality of care needed by children placed in the home; and
- complete other training.

*Foster Care Maintenance Payments.*

Foster care maintenance payments are intended to assist licensed foster parents in meeting the needs of the foster child. There is a basic foster care maintenance payment and three levels of supplemental foster maintenance payments (Level 2, 3, and 4) that are paid to foster parents who care for children with varying degrees of physical, mental, behavioral or emotional conditions that require increased work, care, or supervision above those required for a typically developing child.

The DCYF uses a standardized assessment tool that assesses the needs of the child and the foster parent's ability and time required to meet the child's needs to determine the foster care rate. The monthly foster parent maintenance payments are as follows:

<b>Age of Child</b>	<b>Basic Foster Maintenance Rate</b>	<b>Level II</b>	<b>Level III</b>	<b>Level IV</b>
<b>Birth to 5</b>	\$672.00	\$849.92	\$1,195.51	\$1474.30
<b>6 to 11</b>	\$796.00	\$973.92	\$1319.51	\$1598.30
<b>12 and Older</b>	\$810.00	\$987.92	\$1333.51	\$1612.30

The rate for placement in a Quality Residential Treatment Program is \$12,803.72, and the Behavioral Rehabilitation Services therapeutic foster care rate is \$8,266.48.

Child care costs are covered for foster parents when the caregivers are working and no caregiver is at home to care for the child. Foster children receive medical and dental coverage while in foster care. Two hundred dollar clothing vouchers are available for children following the child's initial placement. An additional clothing voucher up to \$200 may be available each year after a child's initial placement when there is an exceptional clothing need.

### **Summary of Bill:**

#### *Exceptional Foster Care Payments.*

The Department of Children, Youth, and Families (DCYF) must provide exceptional cost payments to a licensed foster parent that receives placement of a child: (1) with challenging behaviors and who is at risk of placement disruption; or (2) who was placed in a group-care facility during the previous three months.

The challenging behaviors that may lead to exceptional cost payments can include, but are not limited to:

- developmentally inappropriate sexually aggressive behavior;
- intentional harm to animals or pets;
- harm to self, others, or property that requires adult intervention or supervision;
- physically assaultive behavior or aggressive behaviors within the last six months;
- homicidal threats or ideations within the past 12 months;
- a recent history of fire setting; or
- discharge from a hospital for behavioral health related care within the last 30 days.

The initial cost payment must be made upon placement of the child and not be below one-third of the payment to a qualified residential treatment program for the first 30 days.

Within the first 30 days, an ongoing foster care payment rate should be developed, and this foster care payment rate must be sufficient to cover additional supervision, transportation to and from medical appointments, and other costs required to provide care for the child. This rate must be provided for six months. After the foster parent has cared for the child for six months, the DCYF must negotiate an appropriate payment with the foster parent.

The exceptional cost payments expire when the DCYF has completed an analysis of the needs of foster youth and implemented a comprehensive rate structure for entities providing care for foster youth that creates a continuum of care from basic foster care rates to behavior rehabilitation rates.

#### *Training.*

Until December 31, 2023, training must be provided to child welfare workers in regions 3, 4, and

6 of the DCYF related to best practices for finding appropriate placement options for children who experience a placement disruption, including working with foster parents to provide the necessary supports to allow such placement. Starting January 1, 2024, the DCYF must provide this training to all regions.

*Foster Licensure.*

The DCYF must design and implement a process for identifying individuals applying for foster licensure that are willing and able to accept children ages 13 through 17, medically fragile children, and children with developmental disabilities. The DCYF must prioritize licensure for these individuals.

The DCYF must dedicate at least 10 full-time employees to recruiting and retaining foster homes who are willing and able to be a placement resource for children ages 13 through 17, medically fragile children, and children with developmental disabilities. By November 1, 2024, the DCYF must report data and recommendations related to recruiting and retaining foster homes for children ages 13 through 17, medically fragile children, and children with developmental disabilities.

*Staffing Levels.*

Beginning October 1, 2022, the DCYF must increase the staffing level for employees of the department providing child welfare services at least 20 percent above the staffing level that existed on January 1, 2022. This increased staffing level must continue until June 30, 2024.

**Appropriation:** None.

**Fiscal Note:** Requested on January 21, 2022.

**Effective Date:** The bill contains multiple effective dates.