

# SB 1083 & AB2183: New Legislation to Improve California's Continuum of Care Reform

March 8, 2018

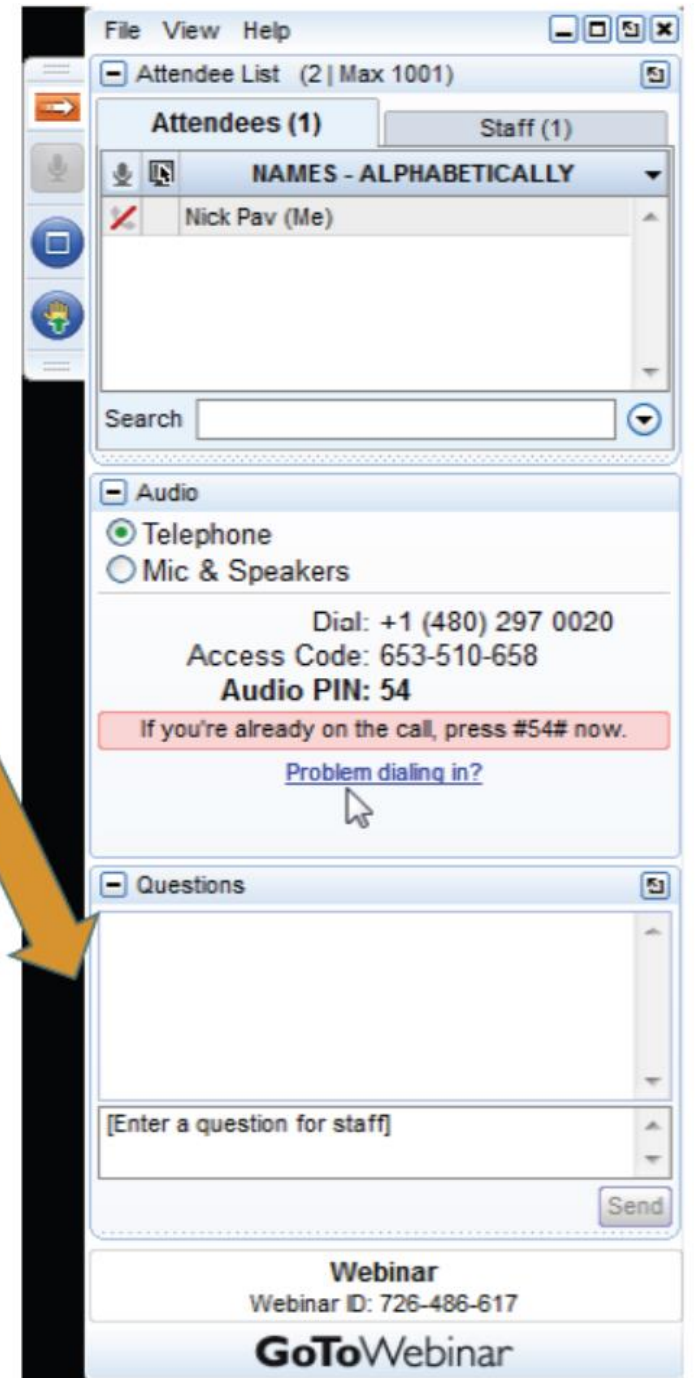


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# Technical Details

- Call in number is (631) 992-3221 and access code is 952-748-831.
- To submit live questions, click on the “Questions” panel, type your question, and click “Send”
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- Handouts can be downloaded from the control panel



# Agenda

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Introductions

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Background on Continuum of Care Reform (CCR) & Family Resource Approval (FRA)

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Current Issues with RFA

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Policy Fixes: SB 1083 & AB 2183

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How You Can Help

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Q & A

# Today's Presenters

- **Angie Schwartz**  
Policy Director at Alliance for Children's Rights
- **Susanna Kniffen**  
Child Welfare Policy Senior Director at Children Now
- **Amy Lemley**  
Executive Director at John Burton Advocates for Youth
- **Luciana Svidler**  
Policy Associate at Children's Law Center of CA
- **Lori Nolan**  
Caregiver
- **Alexis Barries**  
Youth Advocate at John Burton Advocates for Youth

# Continuum of Care Reform (CCR) Vision

In 2015, Governor Brown signed AB 403 into law to initiate a comprehensive reform effort, known as the Continuum of Care Reform (CCR), of California's child welfare system. The vision of CCR including the following:

- All children live with a committed, permanent and nurturing family with strong community connections

- Services and supports should be individualized and coordinated across systems and children shouldn't need to change placements to get services

- When needed, congregate care is a short-term, high quality, intensive intervention that is just one part of a continuum of care available for children, youth and young adults

- Effective accountability and transparency drives continuous quality improvement for state, county and providers

# Key Strategies of CCR

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- Child and Family Teams (CFTs) drive case planning, placement decisions and care coordination

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- New licensing requirements for FFAs and STRTPs:

- Limit use of residential care to when an Interagency Placement Committee finds child requires short-term intensive services
- Ensures STRTPs and FFAs have an identified ability to meet the varied needs of children (i.e. “core services”) including mental health services
- Ensures STRTPs and FFAs are nationally accredited and have engaged placing agencies in program development

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- New approval requirements and restructured rate system for caregivers provides for a single residential rate and a varied “level of care” home-based rate

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- Local collaboration between Child Welfare, Mental Health, Probation, and Education to provide integrated services

# Resource Family Approval Vision

A family-friendly and child-centered caregiver approval process

Streamlines and eliminates duplication of existing processes

Unifies approval standard for all caregivers

Prepares families to meet the needs of children in foster care

Allows seamless transition to permanency

## Timeline for Implementation

All prospective relative, non-related extended family & foster families after 1/1/2017 must go through the RFA process.

Current caregivers with a child in placement at some point during 2017 have until 12/31/2019 to begin the RFA process.

- Current caregivers with an approved adoptive home study completed before 01/01/18 are automatically deemed approved.
- Approval can continue after December 31, 2019 as long as RFA initiated by that date.

*WIC § 16519.5(p)*

## Difference between Approval and Placement

**Approval-** is a process in which DCFS is making sure *generally* that you can provide a safe home for a child by meeting preset criteria

- Funding begins at the date of RFA approval

**Placement-** occurs when DCFS or the court places a *specific* child into your home after the required home walkthrough and background check

- Emergency placement can happen before full approval but eventually you must go through the full RFA process

# Kinship Care vs Traditional Foster care

Kinship Care	Traditional Foster Care
Unplanned, immediate/crisis-oriented	Planned decision to become foster caregiver
Changes existing relationships/family roles	Builds new relationships
Hopes and expectations for reunification	May hope to adopt
Knowledge of family dynamics	Limited knowledge of a family
Mixed feeling about role change	Excitement of a new role of parent
Mixed feelings about loss of parent to child	Celebration of new family
Limited preparation	Prepared and supports in place
Unanticipated requirements to become approved for placement	Anticipated requirements to become approved foster parent
Guilt over the issues of birth parents	No guilt over issues of birth parents
Feelings of betraying birth parents	Displaying loyalty to the child
Feel entitled to be in "driver's seat" – distrusting of system	Emotional entitlement is more gradual; legal entitlement only after adoption
Hesitation to legalize – doesn't indicate a lack of commitment to child	Low motivation to legalize triggers concerns about commitment to child

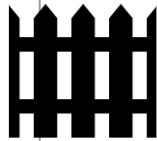
# Overview of RFA Process



Receive a RFA orientation



Undergo criminal clearances and background checks



Undergo home environment assessment



Participate in 12 hours preapproval training and 8 additional hours within the first year (some counties/ FFAs may require additional training)



Provide health questionnaire or screening for applicants



Participate in a family evaluation (previously called Psychological Assessment)



Receive a written report of the resource family

# Home Environment Assessment



An assessment of the home and grounds, outdoor activity space, and storage areas of the applicant's home



Criminal background check (and any necessary exemptions) of each applicant and all adults residing in, or regularly present in, the home.

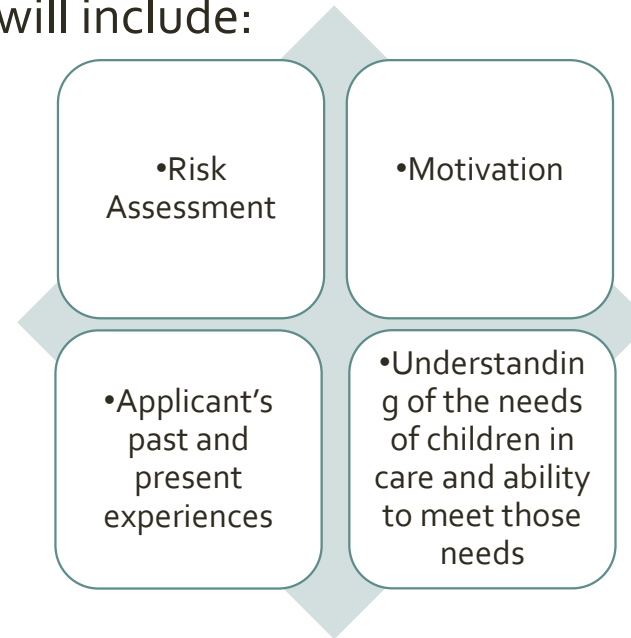


Total number of children cannot be more than family can properly care for – and shall not exceed 6 children.

**Exception:** Exceptional circumstances including but not limited to the need to place siblings together *WIC § 16519.5(d)(2)*

# Permanency Assessment

- Verification that an applicant completed pre-approval training—minimum of **12** hours (**8** post-approval hours annually)
- A Family Evaluation which is a comprehensive inquiry into the applicant(s) will include:



NOTE: When the applicant is a relative/NREFM, the family evaluation shall consider nature of relationship between the applicant and the child. *WIC § 16519.5(d)(3)*

NOTE #2: The applicant's preference to provide a specific level of permanency shall not be a basis to deny an application. *WIC § 16519.5(g)(5)(A)(i)(II)*

# Additional RFA requirements

Health Questionnaire or Screening

First Aid and CPR certification- to be completed within 90 days post-approval

1 face to face interview with all other residents in the home including children

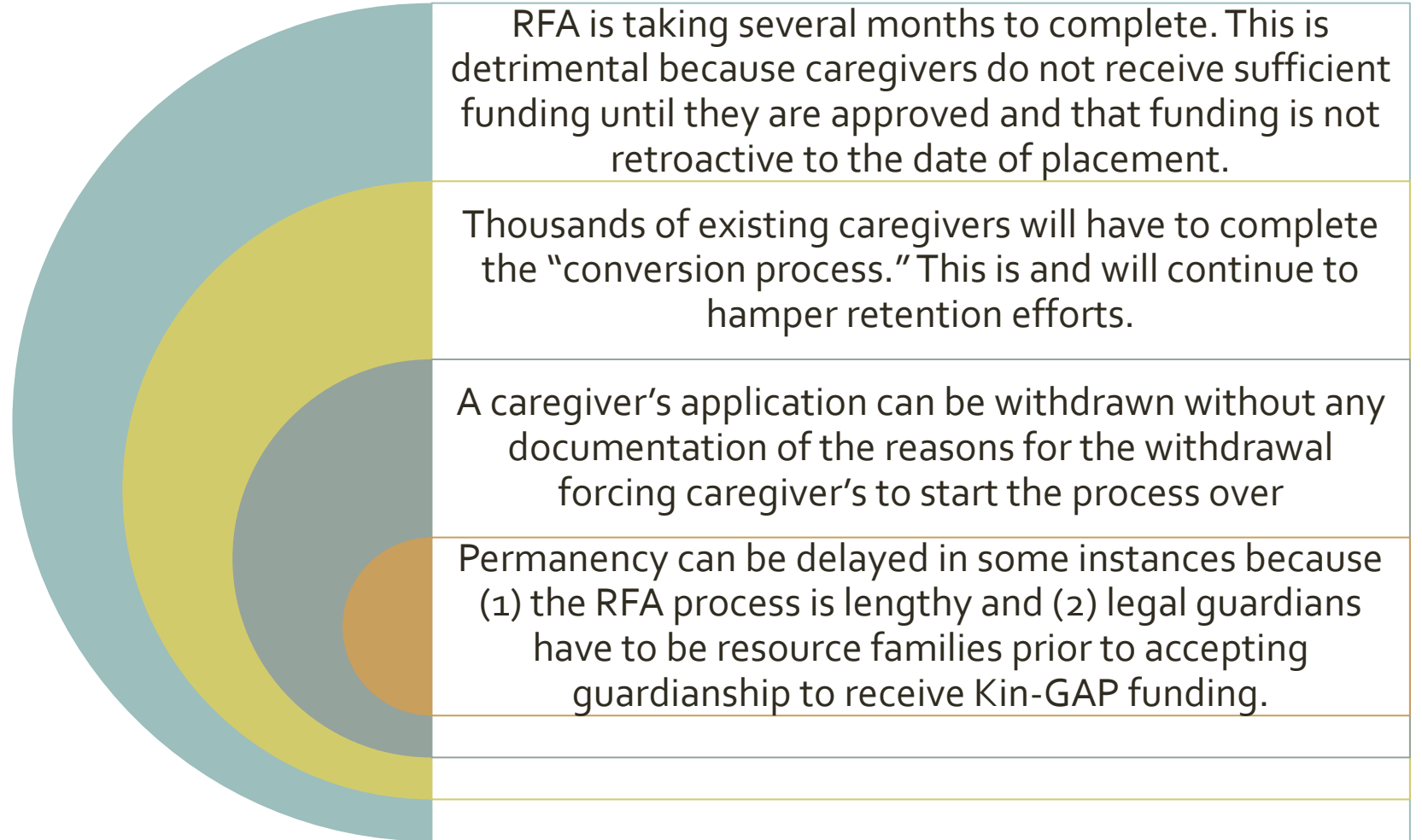
2 personal references

DMV check on applicant and all adults in the home

RFA must be updated annually or more often if “significant changes”

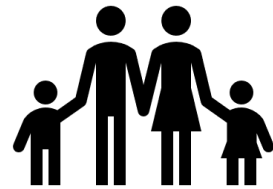
- Must begin 60 days prior to approval anniversary and be completed no later than 30 days after

# Systemic Issues with RFA

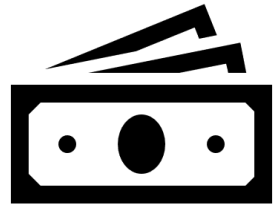


# Policy Fixes: SB1083 & AB2183

Proposed Legislation to Improve CCR and Make RFA work  
for Families



SB 1083 (Mitchell): Reducing Barriers for  
Families



AB 2183 (Rubio): Providing Critical Resources  
at Time of Placement (Urgency Bill)

## SB 1083 Bill Author: Senator Holly Mitchell

- Represents the 30<sup>th</sup> district
- Authored dozens of landmark laws around:
  - Improving human services
  - Expanding healthcare access
  - Ensuring all children and families can thrive
  - Reforms around the juvenile justice system
  - Civil rights of minorities and the undocumented
- First African American to chair the powerful Senate Budget and Fiscal Review Committee in December 2016



# SB 1083 Provisions



Requires counties to complete RFA within 90-days for all applicants and provides for court oversight when timelines are not complied with for relatives or Non-Related Extended Family Members who are seeking placement

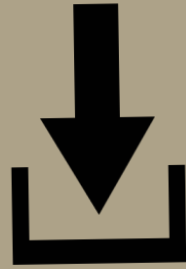


Grandfathers-in families who were approved as caregivers prior to RFA



Requires documentation in the court record regarding the amount and source of financial support a youth is receiving

# SB 1083 Provisions



Clarifies that a family that withdraws an RFA application can pick up where they left off within 12 months of withdrawal

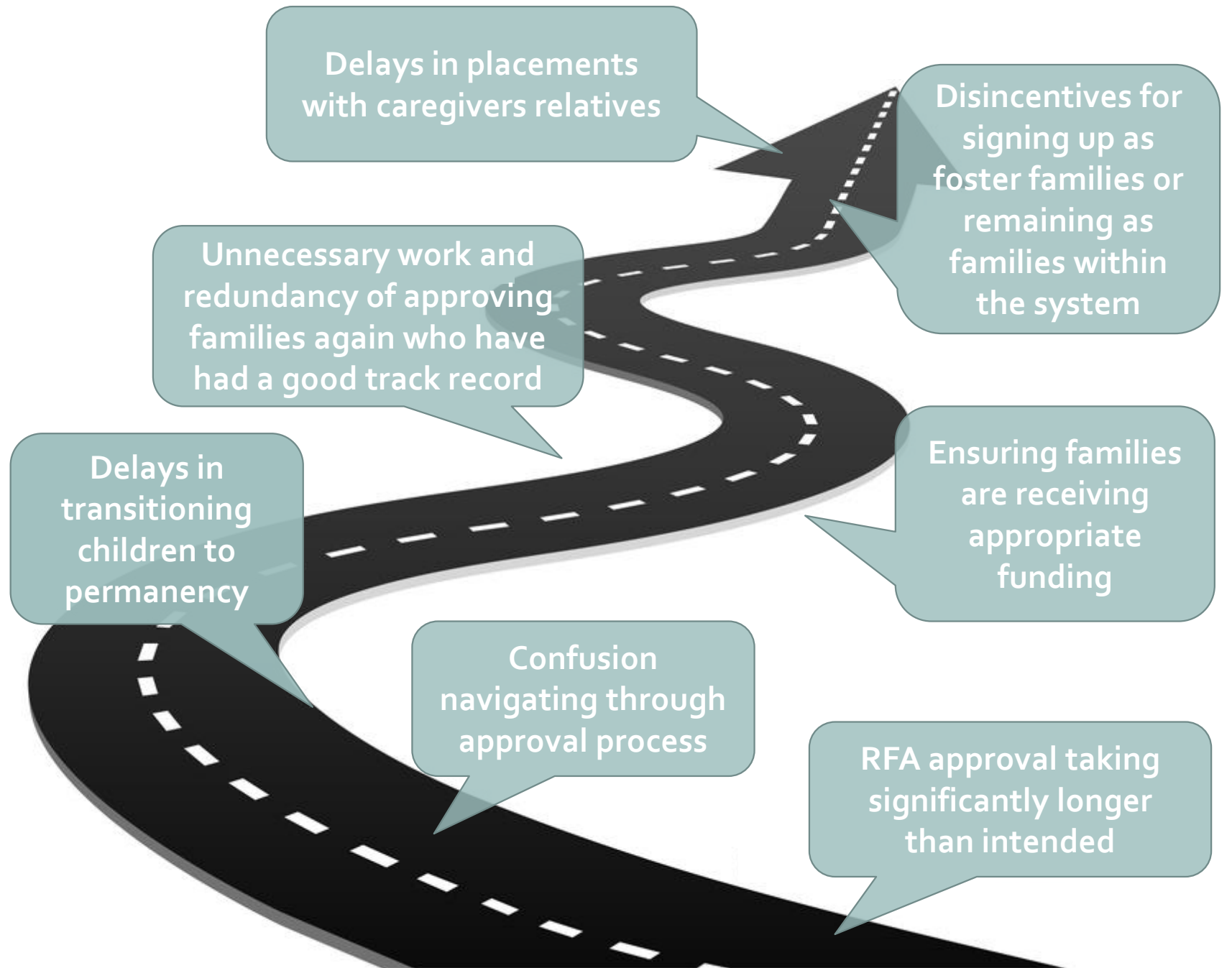


Clarifies that a youth can be placed with a relative or extended family member through a Voluntarily Placement Agreement (VPA) prior to Resource Family Approval when that relative or extended family member meets the standards of in WIC 361.4



Clarifies that the months spent with a prospective legal guardian prior to full resource family approval can satisfy the six month eligibility rule to receive Kin-GAP funding to ensure that exits to permanence are not delayed

# What issues does SB1083 help fix





## SB 2183 Bill Author: Assemblymember Blanca Rubio

- Represents the 48<sup>th</sup> district
- Authored dozens of landmark laws around:
  - Supporting victims of domestic violence
  - Creating opportunities for children in the foster care system
  - Supporting immigrant communities
  - Women's rights
  - Student Support
- Had all six of her bills that made the Governor's desk signed in her first year of Assembly



# AB 2183 Provisions



Requires counties to secure short-term funding for individuals who accept emergency placement while they work to complete the RFA requirements through either the ARC program or the Emergency Assistance program



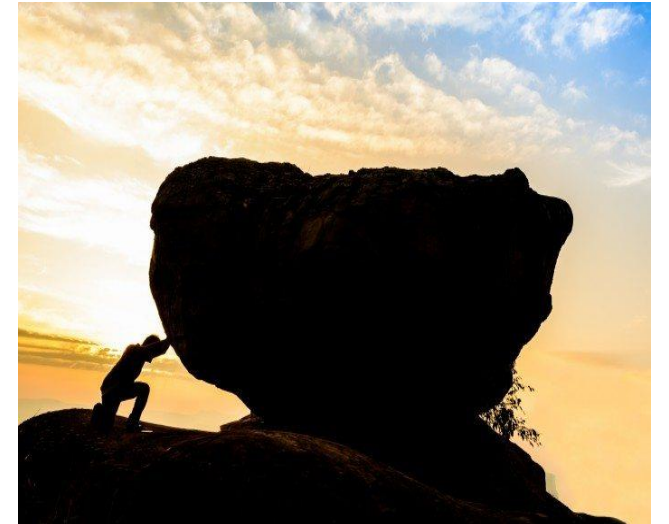
Permits counties to waive any approval requirements that are not related to health and safety, on a case-by-case basis, based on extraordinary circumstances



Initiates School of Origin (SOO) funding at the time of placement, regardless of whether the family has been approved as a resource family and ensures that Short Term Residential Therapeutic Programs (STRTPs) can access SOO funds. .

# What issues does AB2183 help fix?

- Families that take in children prior to approval do not receive foster care benefits until they are approved and the funding is not retroactive to the date of placement. This is causing:
  - **Placement disruptions** due to lack of funding
  - Relatives and extended family members **enduring months of financial stress and hardship** while simultaneously attempting to navigate a bureaucratic maze and care for traumatized children
  - **Discouragement from becoming foster parents** or remaining as families within the system



# Short-Term Relief for Families May Be Available Through June 30, 2018

- AB 110 and SB 120 were recently approved by the Assembly and Senate Budget Committees as urgency measures
- **IF signed into law**, families who currently have placements prior to approval will receive support equal to the basic foster care payment as of the date that CDSS releases an All County Letter implementing the program OR as of the date of placement, whichever is later
- Funding will ONLY continue through June 30, 2018. The Legislature needs to enact further legislation in order to continue support beyond June 30, 2018.

Resource  
Family  
Approval: A  
Former Foster  
Youth's  
Perspective

- Personal experience
- Emotional Impact
- Reflection



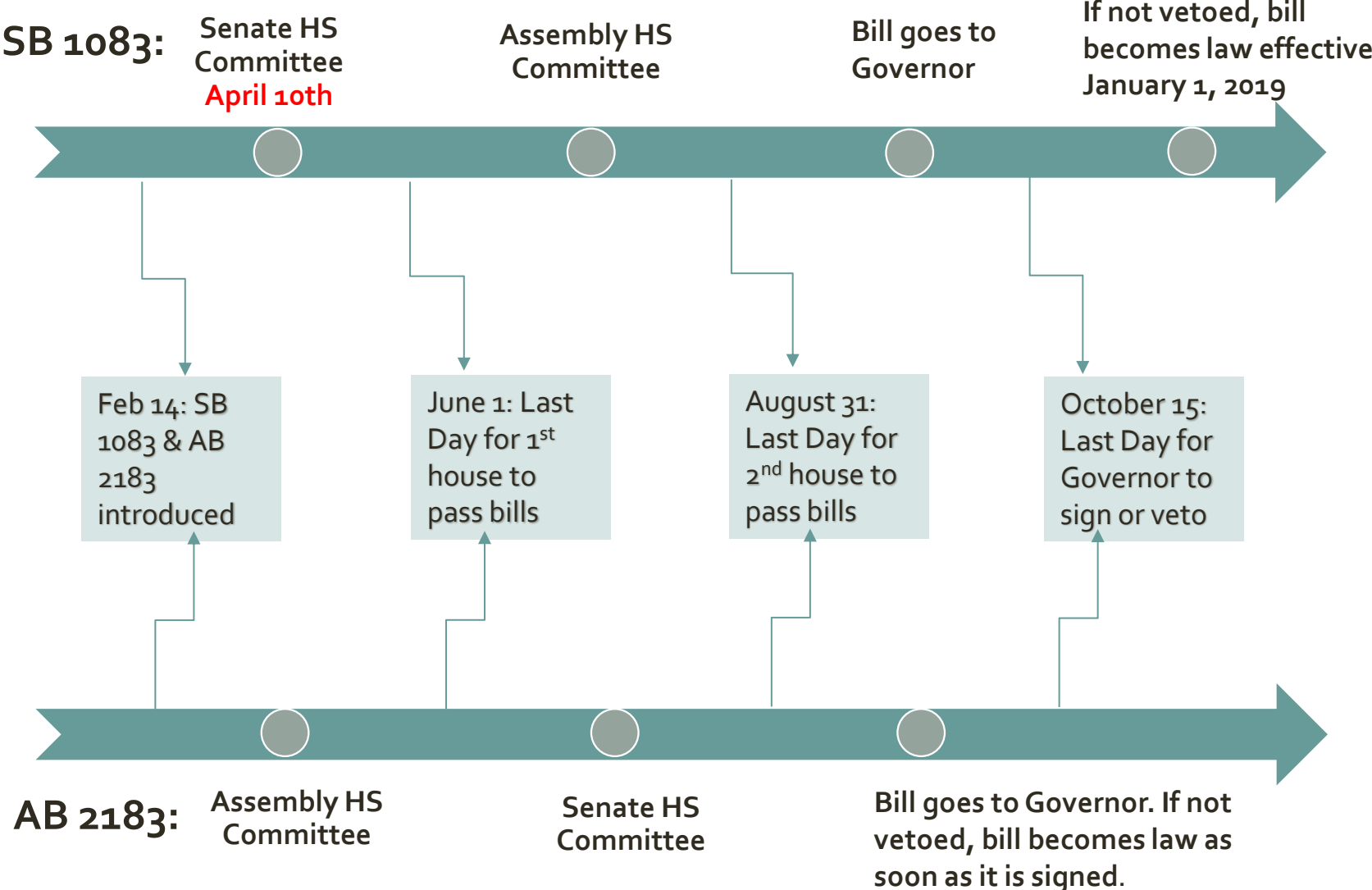
# Both SB1083 & AB 2183 faces considerable challenges

- Both SB 1083 & AB 2183 will help streamline the RFA approval process and improve on CCR.
- **BUT** they both face challenges for passage:

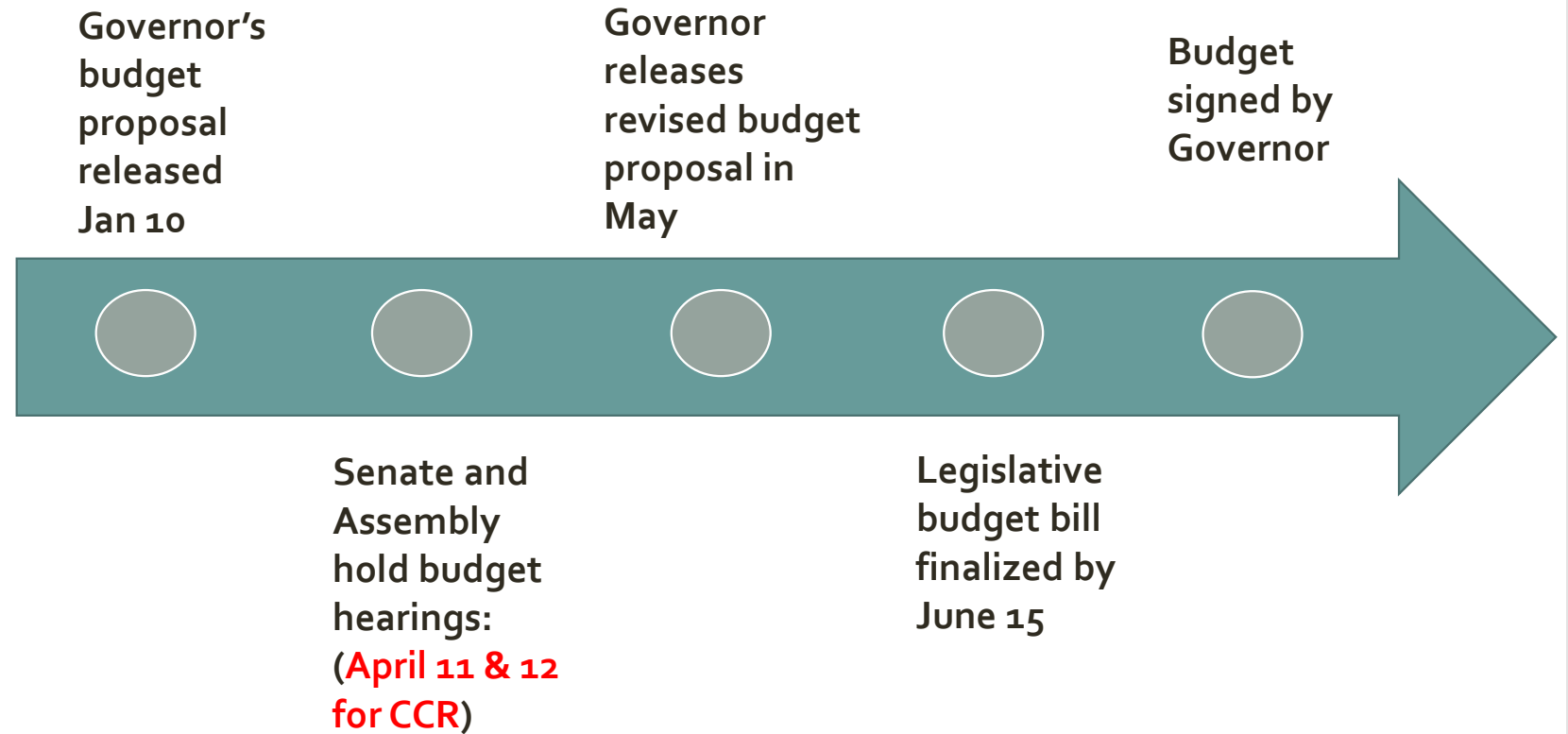
- Worthy, competing priorities
- AB 2183 is a urgency bill and requires 2/3 vote for passage



# Legislative Timeline for SB 1083 & AB2183



# Parallel Budget Process



# How can you help make SB 1083 and AB 2183 a reality?



Send in a support letter

[sample letters [SB1083](#) & [AB2183](#)]



Attend and testify at Committee hearings



Meet with legislators in the district



Encourage foster youth and caregivers to get involved



Stay tuned for more work over the spring and summer

## Questions or Comments?

To submit live questions, click on the “Questions” panel, type your question, and click “Send”

or contact:

Angie Schwartz, Alliance for Children’s Rights, [a.schwartz@kids-alliance.org](mailto:a.schwartz@kids-alliance.org)

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