

Bill of Rights for Foster Families and Foster Children

State	Measure	Status	Description
FL	SB1432	Laid on table	Foster parents' rights.
FL	SB 1209 , Chapter 2019- 156 (Companion to SB1432)	Enacted	Foster parent bill of rights. The legislation establishes a goal for the department to treat foster parents, kinship caregivers, and nonrelative caregivers with dignity, respect, and trust while ensuring the delivery of child welfare services. The bill requires the department to strive to accomplish these goals to the extent not otherwise prohibited by state or federal law and within current resources. The goals require the department to provide specified information and supports to foster parents, kinship caregivers, and nonrelative caregivers. Additionally, the legislation creates a dispute resolution process for a caregiver who believes the goals are not being met and that such failure is harmful to the child or is inhibiting the caregiver's ability to meet the child's needs.
FL	SB646	Died in appropriations	Specifying the rights of children and young adults in out-of-home care; requires the Florida Children's Ombudsman to serve as an autonomous entity within the department for certain purposes; requires that a case plan be developed in a face-to-face conference with a caregiver of a child under certain circumstances; requires a caseworker to provide information about subsidies provided by early learning coalitions to caregivers of certain children; providing additional requirements for the licensure and operation of family foster homes, residential child-caring agencies, and child-placing agencies.
IA	HF134	Pending	Foster and adoptive children's bill of rights.
KY	HB158 , Chapter 33	Enacted	Establishes a foster children's bill of rights.
MA	H113 , S30 , H106 , H4162 – new draft of	Pending	Foster parents' bill of rights for foster, pre-adoptive and kinship foster parents. H4162 combines H113 and H106 and provides training, 24-hour emergency hotline, access to information on the child, informed of case planning, advance notice of court hearings,

	H106 and H113		information on available resources/payments/supports, respite care, reasonable and prudent parenting standard, and a grievance and fair hearing process.
NM	HB383 , HB496	Died in committee.	HB383 establishes foster parents' rights. HB496 requires the department to issue rules regarding foster parents' rights.
VA	HB2108 , Chapter 336	Enacted	Requires the department to issue rules regarding foster parents' rights.

Courts and Foster Families			
State	Measure	Status	Description
IN	HB1167 , SB1 , SB151 , SB431 , SB534 , SB251	Pending	HB1167—Gives foster parents standing in court proceedings. SB1—Foster parents' right to intervene in court proceedings. SB151—Foster parent intervention in court proceedings. SB431— Foster parent intervention in court proceedings. SB534—Foster parent standing. SB251—Requires reporting form for use by foster parent in court.
KY	HB446	Enacted	Allows foster parents to be parties to termination of parental rights proceedings.
MO	SB360	Pending	Foster parents' right to intervene, present evidence in court proceedings.
NM	HB309	Pending	Mandates foster parent court intervention under certain circumstances.

Dispute Resolution/Ombudsman/Quality Improvement for Foster Families			
State	Measure	Status	Description
NM	HB496	Postponed	Creates the foster family ombudsman and requires the department to adopt and promulgate rules establishing the rights and responsibilities of foster parents statewide.

OR	HB2337	Pending	Creates the foster care ombudsman. Creates the foster care advisory committee.
VA	HB2108 , Chapter 336	Enacted	Establishes a foster parent dispute resolution process, including rights and responsibilities of foster parents.
VA	SB1339 , Chapter 446	Enacted	Requires a mechanism for investigating foster parent complaints. Allows the Commissioner of Social Services to develop and implement a corrective action plan for or assume temporary control over the foster care services of a local board of social services in certain circumstances; requires the creation of a foster care health and safety director position; establishes and a confidential hotline to receive reports and complaints from foster; directs the Department to develop and implement a more reliable, structured, and comprehensive case review and quality improvement process to monitor and improve foster care services; and, requires the Department to establish and update annually a caseload standard that limits the number of foster care cases that may be assigned to each foster care caseworker.
WV	HB2010	Enacted	Creates a foster care ombudsman.

Family and Medical Leave Benefits for Foster Families

State	Measure	Status	Description
IL	SB1723	Pending	Authorizes family and medical leave for families adopting or fostering children.
LA	SB186	Pending	Mandates family and medical leave for families of foster and adoptive children.
ME	LD1410	Carry-over	Requires family and medical leave benefits for families of foster and adopted children.
MO	SB162	Pending	Establishes a family and medical leave program for families of foster and adopted children; to be submitted to voters.
OH	HB91	Pending	Authorizes a family and medical leave insurance program for families of foster and adopted children.

VT	H107 , S88 , H395	Pending	Establishes a family and medical leave insurance program to include foster children.
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Financial Assistance to Foster Families

State	Measure	Status	Description
CA	AB337	Pending	Foster care payments are to include a reasonable travel reimbursement for school.
FL	SB1144 , HB1367	Died in committee Died in committee	Child care subsidies for foster parents. Would provide an early education or child care subsidy for certain foster parents.
FL	HB1367 SB1144	Died in committee Died in committee	Provides an additional subsidy for certain caregivers. (h) In addition to the foster care room and board rate, a caregiver who is required under s. 39.604 to place a child in an early education or child care program must receive a subsidy of up to \$300 per month to pay the difference between the amount of the subsidy provided by an early learning coalition and the full cost of the services.
MS	SB2196 , Chapter 412	Enacted	Creates a foster care fund to support services for foster parents and foster children; the fund will receive money from state appropriations and from state assessments from persons upon whom a court imposes a fine.
NM	SB130	Died in committee	Requires the department to pay for the costs of driver education, licensure and motor vehicle insurance of children in foster care; makes an appropriation.
NY	A785	Pending	Sets a 3% increase in foster payment rates.
NC	H580 , S636	Pending	Increases foster care and adoption payment rates.
OR	HB2868	Pending	Specifies tax credits for foster parents.
PA	HB296 , SB445	Pending	Establishes an adoption and foster care tax credit program.
SC	H3221	Pending	Expands educational credit for exceptional needs children to include foster children.

Health and Mental/Behavioral Health

State	Measure	Status	Description
CA	AB1005	Pending	Creates Family Urgent Response System. The bill would require the department to

			<p>establish a statewide hotline, operational no later than January 1, 2021, as the entry point for a Family Urgent Response System, as defined, to respond to calls from caregivers or current or former foster children or youth when a crisis arises, as specified. The bill would require the hotline to include, among other things, referrals to the county, as specified, for further support and in-person response. The bill would require the department to ensure that deidentified, aggregated data are collected regarding individuals served through the hotline and to publish a report on the department's internet website by January 1, 2022, and annually by January 1 thereafter, including specified information.</p> <p>This bill would require, no later than January 1, 2021, county child welfare, probation, and behavioral health agencies, in each county or region of counties, as specified, to establish a joint county-based Family Urgent Response System that includes a mobile response and stabilization team to provide stabilization services for caregivers and current or former foster children or youth who are experiencing a crisis. The bill would require those agencies to submit a single, coordinated plan to the department, no later than November 1, 2020, describing how the system would meet specified requirements. The bill would authorize those agencies to implement these provisions on a per-county basis or by collaborating with other counties to establish regional, cross-county Family Urgent Response Systems, as specified.</p>
IL	HB0219	Pending	<p>Children's Mental Health Integrated Fund. Creates local children's mental health collaboratives. Defines "local children's mental health collaborative" as an entity formed by the agreement of representatives of the local system of care, including mental health services, social services, correctional services, education services, health services, and vocational services for the purpose of developing and governing an integrated service system.</p>
ME	LD1378 , Chapter 162	Enacted	<p>Requires the department to provide to the foster parent an overview of the child's medical condition and the name and contact information of the child's health care provider at the time of placement, to the extent known by the department. The department shall provide to the foster parent information regarding the scheduling of</p>

			the child's medical examination.
NC	SB549	Pending	Directs the Department of Health and Human Services (DHHS), Division of Social Services, in collaboration with the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (Division), to establish a two-year child welfare and behavioral health pilot project in Davie, Forsyth, Rockingham, and Stoke counties, to provide easier access to comprehensive services for children in foster care in regards to continuity of care, alternatives to therapeutic foster care, and uninterrupted care and services pending treatment of trauma. Establishes the pilot's purpose is to provide a trauma-informed integrated health foster care model to facilitate partnerships between county departments of socials services and local management entities/managed care organizations (LME/MCOs) regarding children placed in foster care. Sets nine goals of the pilot, including addressing safety and health needs of children with the application of trauma informed tools, and allowing for wrap-around services for the child to support a singular, unified goal of children in foster care having a single placement.
TX	HB3746 SB1095	Pending Pending	Foster parent access to health records of medically fragile children. Foster parent access to health records of medically fragile children.
WV	HB2010 , Chapter 44	Enacted	The secretary shall transition to a capitated Medicaid program all children in foster care under Title IV-E of the Social Security Act who is living in the state by July 1, 2019. The program shall be statewide, fully integrated, and risk based; shall integrate Medicaid-reimbursed eligible services; and shall align incentives to ensure the appropriate care is delivered in the most appropriate place and time. The department shall evaluate the transition to managed by July 1, 2022 and report its findings to the Legislative Oversight Commission on Health and Human Resources Accountability. The transition of foster care to managed care shall terminate on June 30, 2024, unless continued by the Secretary of the Department of Health and Human Resources.

VA	SB1339 , Chapter 0446	Enacted	Requires dedicated staff to monitor medical services to foster children and establishes the director of foster care health and safety position in state department.
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Kinship Care Supports			
State	Measure	Status	Description
AZ	HB2644	Pending	Kinship provisional licenses
KS	SB166	Pending	Expand eligibility for Grandparents as Caregivers program
KY	HB2 , Chapter 073	Enacted	Track data on relative and fictive kin placements cabinet to develop custodial, permanency and service options for kin.
NE	LB328	Pending	Creates kinship navigator program
MD	HB1212 , Chapter 77 SB24 , Chapter 78	Enacted	Adds fictive kin to Kinship Foster Care Program.
NY	A569 , Chapter 399	Enacted	Counties to provide information to kinship caregivers re: options, services, etc.
SC	S191	Pending	Adds fictive to Kinship Foster Care Program relatives may foster child before full licensure.
TN	HB4 , SB11 , HB1150 , SB847	Pending	Pilot program for child care payments to relative caregivers.
WV	HB2010 , Chapter 44	Enacted	Mandates a study of kinship care, improving services and equalizing payments.
VA	S1679 , Chapter 0688 HB2014 ,	Enacted	Adds definition of fictive kin

	Chapter 0282		
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Reasonable and Prudent Parenting			
State	Measure	Status	Description
AR	HB1469 , Act 664	Enacted	Adhere to the reasonable and prudent parent standard, as that standard is defined by Pub. L. No. 113-183, in the care of any child placed in the home by a child placement agency.
CO	HB1219	Enacted	(b)(II) The department shall document in the family services plan and the court shall review whether the child's or youths' placement is following the Reasonable and prudent standard and whether the child or youth has regular, ongoing opportunities to engage in age-appropriate activities.
FL	SB646 HB823	Died in committee	An individual selected by a child to be a member of the case planning team may be rejected at any time if there is good cause to believe that the individual would not act in the best interest of the child. One individual selected by a child to be a member of the child's case planning team may be designated to act as the child's advisor and, as necessary, advocate with respect to the application of the reasonable and prudent parent standard to the child. requires lead agencies to recruit & retain foster homes.
NE	L219	Pending	43-4708 (2) A caregiver of a child in foster care who obtains a driver's license is not liable for harm caused to the child or by the child, for actions arising from the child learning to drive or driving a motor vehicle, if the caregiver has acted in accordance with the reasonable and prudent parent standard.
NE	L328	Pending	The department shall provide and contract with providers to create a full array of services described in this section statewide. A child in foster care may be placed in one of the following placements: b) The department deems capable of adhering to the reasonable and prudent parent standard.
OK	S141	Enacted	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: a. one individual selected by the child may be designated to be the advisor and, as necessary, advocate of the child, with respect to the application of the reasonable and prudent parent standard to the child.
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Recruitment and Retention of Foster Families

State	Measure	Status	Description
FL	HB823	Died in committee.	Lead agencies are required to develop plans to recruit, retain foster families.
MA	H133	Pending	The department is to study the feasibility of a foster parent recruitment campaign.
MN	HF399 , SF190	Pending	Appropriates \$75,000 to Hennepin County for foster parent recruitment.
NM	HJM10	Adopted	The department is to convene a task force supporting resource families and for collaboratively working toward better recruitment and retention of resource families.
VA	SB1339 , Chapter 446	Enacted	Requires the department to develop a data-driven plan for recruitment and retention.

TRIBES

State	Measure	Status	Description
CA	AB686 , Chapter 434	Enacted	Requires, when the tribe does not exercise its right to approve a home for a specific child, the county is to apply prevailing social and cultural standards of the Indian community when approving a resource family for that child. The bill would require the State Department of Social Services to issue all-county letters or similar instruction to provide guidance regarding consistent implementation of that provision. The bill would also clarify that tribal home approvals that comply with specific requirements are not subject to resource family approval requirements. By

			requiring counties to provide a higher level of service when approving resource families, this bill would impose a state-mandated local program.
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Miscellaneous			
State	Measure	Status	Description
CA	AB865 , Chapter 810	Enacted	Commencing January 1, 2021, requires counties to include information on providing care and supervision to children who have been commercially sexually exploited as part of the mandatory preapproval caregiver training. The bill would require resource families that care for children who are 10 years of age or older to attend, within 12 months of approval as a resource family, a training on how to use best practices for providing care and supervision to children who have been commercially sexually exploited.
CA	AB819 , Chapter 777	Enacted	Requires counties and foster family agencies, when a resource family seeks approval by a subsequent foster family agency or transfer of their approval to a county, to request or provide documents in the resource family case file, including any updates to the family case file.
GA	HR839	Adopted	Foster Care and Adoption Day at the Capitol.
NM	HM20 (Adopted), SM4 (Adopted)		HM20—Foster Parent and Advocate Day. SM4—Foster Parent Appreciation, Advocacy and Awareness Day.
VA	SB1339 , Chapter 446	Enacted	Requires the Department to establish and update annually a caseload standard that limits the number of foster care cases that may be assigned to each foster care caseworker.