

2016 Regular Session

HOUSE BILL NO. 482

BY REPRESENTATIVES JEFFERSON, HUNTER, AND JACKSON

CHILDREN/FOSTER CARE: Creates a task force to recommend means by which the state may better facilitate permanency for foster children

1 AN ACT

2 To enact Chapter 35-A of Title 46 of the Louisiana Revised Statutes of 1950, to be  
3 comprised of R.S. 46:2431 through 2434, relative to foster care; to create and  
4 provide for the Foster Care and Permanence Task Force; to provide for the  
5 composition, functions, and duties of the task force; to provide for termination of the  
6 task force; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 35-A of Title 46 of the Louisiana Revised Statutes of 1950,  
9 comprised of R.S. 46:2431 through 2434, is hereby enacted to read as follows:

10 CHAPTER 35-A. FOSTER CARE AND PERMANENCE TASK FORCE

11 §2431. Declaration; purpose

12 A. The legislature hereby declares that the interests of the most vulnerable  
13 children of this state are best served through policies designed to create lasting  
14 connections for children who spend time in the state's foster care system.

15 B. The purpose of this Chapter is to create and provide for a task force to  
16 study and make recommendations concerning best practices for achieving  
17 permanency for foster children.

18 §2432. Task Force; creation; composition; meetings

19 A. There is hereby created the Foster Care and Permanence Task Force,  
20 referred to hereafter as the "task force", which shall be composed of the following  
21 members:

1           (1) Two members representing the Department of Children and Family  
2           Services appointed by the secretary of the department, one of whom shall be a  
3           representative of the foster care program of the office of children and family  
4           services.

5           (2) The dean of the Southern University Nelson Mandela School of Public  
6           Policy or his designee.

7           (3) The director of the Louisiana State University School of Social Work or  
8           his designee.

9           (4) The executive director of the National Association of Social Workers,  
10          Louisiana Chapter, or his designee.

11          (5) The president of LouisianaChildren.org or his designee.

12          (6) The executive director of the Louisiana Foster and Adoptive Parent  
13          Association or his designee.

14          (7) A person who has served as a relative caretaker for a child in foster care  
15          appointed by the secretary of the Department of Children and Family Services.

16          B. The secretary of the Department of Children and Family Services shall  
17          take such actions as are necessary to ensure that the initial convening of the task  
18          force occurs no later than October 1, 2016.

19          C. The task force members shall select a chairman annually, and he shall  
20          serve as chairman without salary.

21          D. Task force members shall serve without compensation, except per diem  
22          or expense reimbursement to which they may be individually entitled by their  
23          respective employer organizations.

24          E. The task force shall hold at least two public meetings each year at a place  
25          designated by the chairman.

26          §2433. Functions and duties of the task force

27          A. The functions of the task force shall include all of the following:

28          (1) Examination of means and best practices to ensure that foster children  
29          and adoptive children are placed in homes that can become permanent placements

1 when reunification is not possible, thereby reducing the number of children who are  
2 moved repeatedly among different homes.

3 (2) Identification of means by which to assess persons applying to be foster  
4 parents, adoptive parents, and relative caretakers.

5 (3) Examination of means and best practices to encourage recruitment and  
6 retention of foster parents and relative caretakers.

7 (4) Examination of means to facilitate provision to foster parents and  
8 adoptive parents of all available information about a foster child's behavior before  
9 the child is placed with the foster or adoptive parents.

10 (5) Recommendation of means by which to ensure that adoption subsidies  
11 remain sufficient to meet the needs of an adoptive child and his adoptive parents as  
12 the child grows older.

13 (6) Recommendation of means by which to improve the rate of permanency  
14 among young people who are fourteen years of age or older and are in the state foster  
15 care system or in residential placement.

16 (7) Recommendations for a process to mediate conflicts between foster or  
17 adoptive parents and child placement agencies or biological parents.

18 (8) Identification of laws and agency policies that unduly serve as barriers  
19 to permanency.

20 (9) Identification of barriers with respect to recruitment of a competent  
21 workforce and substitute caretaker network.

22 (10) Examination of barriers with respect to placement resources.

23 B. On or before December 31, 2017, and semiannually thereafter, the task  
24 force shall prepare and submit to the governor and the legislature a report on the  
25 status and well-being of children in foster care, with a particular focus on any  
26 policies and practices which are facilitating or could likely facilitate a greater degree  
27 of permanency for foster children. The report shall include any findings and  
28 recommendations derived from the functions specified in Subsection A of this  
29 Section.

1           §2434. Termination  
 2                   The provisions of this Chapter shall terminate on January 1, 2018, and  
 3           thereafter shall be null, void, and without effect.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 482 Engrossed

2016 Regular Session

Jefferson

**Abstract:** Creates an eight-member Foster Care and Permanence Task Force to recommend to the governor and the legislature means by which the state may better facilitate permanency for foster children.

Proposed law creates the Foster Care and Permanence Task Force, referred to hereafter as the "task force". Provides that the task force shall be composed of the following members:

- (1) Two members representing the Department of Children and Family Services (DCFS) appointed by the secretary of the department, one of whom shall be a representative of the foster care program.
- (2) The dean of the Southern University Nelson Mandela School of Public Policy or his designee.
- (3) The director of the Louisiana State University School of Social Work or his designee.
- (4) The executive director of the National Association of Social Workers, Louisiana Chapter, or his designee.
- (5) The president of LouisianaChildren.org or his designee.
- (6) The executive director of the Louisiana Foster and Adoptive Parent Association or his designee.
- (7) A person who has served as a relative caretaker for a child in foster care appointed by the secretary of DCFS.

Proposed law requires the DCFS secretary to take such actions as are necessary to ensure that the initial convening of the task force occurs no later than October 1, 2016.

Proposed law provides that the task force members shall select a chairman annually who shall serve as chairman without salary; and that the members shall serve without compensation, except per diem or expense reimbursement to which they may be individually entitled by their respective employer organizations.

Proposed law requires the task force to hold at least two public meetings each year at a place designated by the chairman.

Proposed law provides that the functions of the task force shall include all of the following:

- (1) Examination of means and best practices to ensure that foster children and adoptive children are placed in homes that can become permanent placements when

- reunification is not possible, thereby reducing the number of children who are moved repeatedly among different homes.
- (2) Identification of means by which to assess persons applying to be foster parents, adoptive parents, and relative caretakers.
  - (3) Examination of means and best practices to encourage recruitment and retention of foster parents who practice foster care for reasons that are good for children.
  - (4) Examination of means to facilitate provision to foster parents and adoptive parents of all available information about a foster child's behavior before the child is placed with the foster or adoptive parents.
  - (5) Recommendation of means by which to ensure that adoption subsidies remain sufficient to meet the needs of an adoptive child and his adoptive parents as the child grows older.
  - (6) Recommendation of means by which to improve the rate of permanency among young people who are fourteen years of age or older and are in the state foster care system or in residential placement.
  - (7) Recommendations for a process to mediate conflicts between foster or adoptive parents and child placement agencies or biological parents.
  - (8) Identification of laws and agency policies that unduly serve as barriers to permanency.
  - (9) Identification of barriers with respect to recruitment of a competent workforce and substitute caretaker network.
  - (10) Examination of barriers with respect to placement resources.

Proposed law requires that on or before Dec. 31, 2017, and semiannually thereafter, the task force shall prepare and submit to the governor and the legislature a report on the status and well-being of children in foster care, with a particular focus on any policies and practices which are facilitating or could likely facilitate a greater degree of permanency for foster children.

Proposed law terminates on Jan. 1, 2018.

(Adds R.S. 46:2431-2434)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Delete a reference to the DCFS Kinship Foster Care Program and insert in lieu thereof a reference to the DCFS foster care program.
2. Add as a task force member a person who has served as a relative caretaker for a child in foster care appointed by the secretary of DCFS.
3. Revise two enumerated functions of the task force to provide that these functions shall be:
  - (a) Examination of means and best practices to ensure that foster children and adoptive children are placed in homes that can become permanent

placements when reunification is not possible, thereby reducing the number of children who are moved repeatedly among different homes.

- (b) Identification of means by which to assess persons applying to be foster parents, adoptive parents, and relative caretakers.

4. Add the following three enumerated functions of the task force:

- (a) Identification of laws and agency policies that unduly serve as barriers to permanency.
- (b) Identification of barriers with respect to recruitment of a competent workforce and substitute caretaker network.
- (c) Examination of barriers with respect to placement resources.