

Introduced by Senator LeyvaFebruary 6, 2017

An act to amend Sections 1522.41 and 1529.2 of the Health and Safety Code, and to amend Sections 304.7, 16206, 16501.1, and 16521.5 of the Welfare and Institutions Code, relating to foster youth.

LEGISLATIVE COUNSEL'S DIGEST

SB 245, as introduced, Leyva. Foster youth: sexual health education.

Existing law requires a county social worker to create a case plan for foster youth within a specified timeframe after the child is introduced into the foster care system. Existing law requires the case plan to include prescribed components, including, among other things, for youth in foster care 14 years of age and older and nonminor dependents, a document that describes the youth's rights with respect to education, health, visitation, and court participation, the right to be annually provided with copies of his or her credit reports at no cost, and the right to stay safe and avoid exploitation.

This bill would additionally require, for youth in foster care 10 years of age and older, the case plan to include documentation that the youth has received comprehensive sexual health education, as specified, and to be updated annually to identify how the agency will ensure the youth has access to, among other things, age-appropriate, medically accurate information on puberty, reproductive, and sexual health care, and how the agency will ensure the youth is not facing any barriers in accessing reproductive and sexual health care services or treatment. By imposing additional duties on county social workers and probation officers, this bill would impose a state-mandated local program.

Existing law requires foster care providers to ensure that adolescents who remain in long-term foster care receive age-appropriate pregnancy

prevention information, provided that the department develops guidelines that describe the duties and responsibilities of foster care providers and county case managers in delivering pregnancy prevention services and information.

This bill would require the department to develop a curriculum for case management workers and foster care providers that addresses certain topics related to sexual and reproductive health care, including, among others, how to document sensitive health information including sexual and reproductive health issues in a case plan. The bill would also require these topics to be addressed in certain additional training, including, among others, training for administrator certification programs for group homes and short-term residential therapeutic programs.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1522.41 of the Health and Safety Code
- 2 is amended to read:
- 3 1522.41. (a) (1) The department, in consultation and
- 4 collaboration with county placement officials, group home provider
- 5 organizations, the Director of Health Care Services, and the
- 6 Director of Developmental Services, shall develop and establish
- 7 an administrator certification training program to ensure that
- 8 administrators of group home facilities have appropriate training
- 9 to provide the care and services for which a license or certificate
- 10 is issued.
- 11 (2) The department shall develop and establish an administrator
- 12 certification training program to ensure that administrators of
- 13 short-term residential therapeutic program facilities have
- 14 appropriate training to provide the care and services for which a
- 15 license or certificate is issued.
- 16 (b) (1) In addition to any other requirements or qualifications
- 17 required by the department, an administrator of a group home or

1 short-term residential therapeutic program shall successfully
2 complete a specified department-approved training certification
3 program, pursuant to subdivision (c), prior to employment.

4 (2) In those cases when the individual is both the licensee and
5 the administrator of a facility, the individual shall comply with all
6 of the licensee and administrator requirements of this section.

7 (3) Failure to comply with this section shall constitute cause for
8 revocation of the license of the facility.

9 (4) The licensee shall notify the department within 10 days of
10 any change in administrators.

11 (c) (1) The administrator certification programs for group homes
12 shall require a minimum of 40 hours of classroom instruction that
13 provides training on a uniform core of knowledge in each of the
14 following areas:

15 (A) Laws, regulations, and policies and procedural standards
16 that impact the operations of the type of facility for which the
17 applicant will be an administrator.

18 (B) Business operations.

19 (C) Management and supervision of staff.

20 (D) Psychosocial and educational needs of the facility residents,
21 including, but not limited to, the information described in
22 subdivision (d) of Section 16501.4 of the Welfare and Institutions
23 Code.

24 (E) Community and support services.

25 (F) Physical needs of facility residents.

26 (G) Assistance with self-administration, storage, misuse, and
27 interaction of medication used by facility residents.

28 (H) Resident admission, retention, and assessment procedures,
29 including the right of a foster child to have fair and equal access
30 to all available services, placement, care, treatment, and benefits,
31 and to not be subjected to discrimination or harassment on the
32 basis of actual or perceived race, ethnic group identification,
33 ancestry, national origin, color, religion, sex, sexual orientation,
34 gender identity, mental or physical disability, or HIV status.

35 (I) Instruction on cultural competency and sensitivity and related
36 best practices for providing adequate care for children across
37 diverse ethnic and racial backgrounds, as well as children
38 identifying as lesbian, gay, bisexual, or transgender.

39 (J) Nonviolent emergency intervention and reporting
40 requirements.

1 (K) Basic instruction on the existing laws and procedures
2 regarding the safety of foster youth at school and the ensuring of
3 a harassment- and violence-free school environment contained in
4 Article 3.6 (commencing with Section 32228) of Chapter 2 of Part
5 19 of Division 1 of Title 1 of the Education Code.

6 (L) *The information described in subdivision (h) of Section*
7 *16521.5.*

8 (2) The administrator certification programs for short-term
9 residential therapeutic programs shall require a minimum of 40
10 hours of classroom instruction that provides training on a uniform
11 core of knowledge in each of the following areas:

12 (A) Laws, regulations, and policies and procedural standards
13 that impact the operations of the type of facility for which the
14 applicant will be an administrator.

15 (B) Business operations and management and supervision of
16 staff, including staff training.

17 (C) Physical and psychosocial needs of the children, including
18 behavior management, de-escalation techniques, and trauma
19 informed crisis management planning.

20 (D) Permanence, well-being, and educational needs of the
21 children.

22 (E) Community and support services, including accessing local
23 behavioral and mental health supports and interventions, substance
24 use disorder treatments, and culturally relevant services, as
25 appropriate.

26 (F) Understanding the requirements and best practices regarding
27 psychotropic medications, including, but not limited to, court
28 authorization, uses, benefits, side effects, interactions, assistance
29 with self-administration, misuse, documentation, storage, and
30 metabolic monitoring of children prescribed psychotropic
31 medications.

32 (G) Admission, retention, and assessment procedures, including
33 the right of a foster child to have fair and equal access to all
34 available services, placement, care, treatment, and benefits, and
35 to not be subjected to discrimination or harassment on the basis
36 of actual or perceived race, ethnic group identification, ancestry,
37 national origin, color, religion, sex, sexual orientation, gender
38 identity, mental or physical disability, or HIV status.

39 (H) The federal Indian Child Welfare Act (25 U.S.C. Sec. 1901
40 et seq.), its historical significance, the rights of children covered

1 by the act, and the best interests of Indian children as including
2 culturally appropriate, child-centered practices that respect Native
3 American history, culture, retention of tribal membership, and
4 connection to the tribal community and traditions.

5 (I) Instruction on cultural competency and sensitivity and related
6 best practices for providing adequate care for children across
7 diverse ethnic and racial backgrounds, as well as children
8 identifying as lesbian, gay, bisexual, or transgender.

9 (J) Nonviolent emergency intervention and reporting
10 requirements.

11 (K) Basic instruction on the existing laws and procedures
12 regarding the safety of foster youth at school and the ensuring of
13 a harassment- and violence-free school environment contained in
14 Article 3.6 (commencing with Section 32228) of Chapter 2 of Part
15 19 of Division 1 of Title 1 of the Education Code.

16 (L) *The information described in subdivision (h) of Section*
17 *16521.5.*

18 (d) Administrators who possess a valid group home license,
19 issued by the department, are exempt from completing an approved
20 initial certification training program and taking a written test,
21 provided the individual completes 12 hours of classroom instruction
22 in the following uniform core of knowledge areas:

23 (1) Laws, regulations, and policies and procedural standards
24 that impact the operations of a short-term residential therapeutic
25 program.

26 (2) (A) Authorization, uses, benefits, side effects, interactions,
27 assistance with self-administration, misuse, documentation, and
28 storage of medications.

29 (B) Metabolic monitoring of children prescribed psychotropic
30 medications.

31 (3) Admission, retention, and assessment procedures, including
32 the right of a foster child to have fair and equal access to all
33 available services, placement, care, treatment, and benefits, and
34 to not be subjected to discrimination or harassment on the basis
35 of actual or perceived race, ethnic group identification, ancestry,
36 national origin, color, religion, sex, sexual orientation, gender
37 identity, mental or physical disability, or HIV status.

38 (4) The federal Indian Child Welfare Act (25 U.S.C. Sec. 1901
39 et seq.), its historical significance, the rights of children covered
40 by the act, and the best interests of Indian children as including

1 culturally appropriate, child-centered practices that respect Native
2 American history, culture, retention of tribal membership, and
3 connection to the tribal community and traditions.

4 (5) Instruction on cultural competency and sensitivity and related
5 best practices for providing adequate care for children across
6 diverse ethnic and racial backgrounds, as well as children
7 identifying as lesbian, gay, bisexual, or transgender.

8 (6) Physical and psychosocial needs of children, including
9 behavior management, deescalation techniques, and trauma
10 informed crisis management planning.

11 (e) Individuals applying for administrator certification under
12 this section shall successfully complete an approved administrator
13 certification training program, pass a written test administered by
14 the department within 60 days of completing the program, and
15 submit to the department the documentation required by
16 subdivision (f) within 30 days after being notified of having passed
17 the test. The department may extend these time deadlines for good
18 cause. The department shall notify the applicant of his or her test
19 results within 30 days of administering the test.

20 (f) The department shall not begin the process of issuing a
21 certificate until receipt of all of the following:

22 (1) A certificate of completion of the administrator training
23 required pursuant to this chapter.

24 (2) The fee required for issuance of the certificate. A fee of one
25 hundred dollars (\$100) shall be charged by the department to cover
26 the costs of processing the application for certification.

27 (3) Documentation from the applicant that he or she has passed
28 the written test.

29 (4) Submission of fingerprints pursuant to Section 1522. The
30 department may waive the submission for those persons who have
31 a current clearance on file.

32 (5) That person is at least 21 years of age.

33 (g) It shall be unlawful for any person not certified under this
34 section to hold himself or herself out as a certified administrator
35 of a group home or short-term residential therapeutic program.
36 Any person willfully making any false representation as being a
37 certified administrator or facility manager is guilty of a
38 misdemeanor.

39 (h) (1) Certificates issued under this section shall be renewed
40 every two years and renewal shall be conditional upon the

1 certificate holder submitting documentation of completion of 40
2 hours of continuing education related to the core of knowledge
3 specified in subdivision (c). No more than one-half of the required
4 40 hours of continuing education necessary to renew the certificate
5 may be satisfied through online courses. All other continuing
6 education hours shall be completed in a classroom setting. For
7 purposes of this section, an individual who is a group home or
8 short-term residential therapeutic program administrator and who
9 is required to complete the continuing education hours required
10 by the regulations of the State Department of Developmental
11 Services, and approved by the regional center, may have up to 24
12 of the required continuing education course hours credited toward
13 the 40-hour continuing education requirement of this section. The
14 department shall accept for certification, community college course
15 hours approved by the regional centers.

16 (2) Every administrator of a group home or short-term residential
17 therapeutic program shall complete the continuing education
18 requirements of this subdivision.

19 (3) Certificates issued under this section shall expire every two
20 years on the anniversary date of the initial issuance of the
21 certificate, except that any administrator receiving his or her initial
22 certification on or after July 1, 1999, shall make an irrevocable
23 election to have his or her recertification date for any subsequent
24 recertification either on the date two years from the date of issuance
25 of the certificate or on the individual's birthday during the second
26 calendar year following certification. The department shall send
27 a renewal notice to the certificate holder 90 days prior to the
28 expiration date of the certificate. If the certificate is not renewed
29 prior to its expiration date, reinstatement shall only be permitted
30 after the certificate holder has paid a delinquency fee equal to three
31 times the renewal fee and has provided evidence of completion of
32 the continuing education required.

33 (4) To renew a certificate, the certificate holder shall, on or
34 before the certificate expiration date, request renewal by submitting
35 to the department documentation of completion of the required
36 continuing education courses and pay the renewal fee of one
37 hundred dollars (\$100), irrespective of receipt of the department's
38 notification of the renewal. A renewal request postmarked on or
39 before the expiration of the certificate shall be proof of compliance
40 with this paragraph.

1 (5) A suspended or revoked certificate shall be subject to
2 expiration as provided for in this section. If reinstatement of the
3 certificate is approved by the department, the certificate holder,
4 as a condition precedent to reinstatement, shall submit proof of
5 compliance with paragraphs (1) and (2) of this subdivision, and
6 shall pay a fee in an amount equal to the renewal fee, plus the
7 delinquency fee, if any, accrued at the time of its revocation or
8 suspension. Delinquency fees, if any, accrued subsequent to the
9 time of its revocation or suspension and prior to an order for
10 reinstatement, shall be waived for a period of 12 months to allow
11 the individual sufficient time to complete the required continuing
12 education units and to submit the required documentation.
13 Individuals whose certificates will expire within 90 days after the
14 order for reinstatement may be granted a three-month extension
15 to renew their certificates during which time the delinquency fees
16 shall not accrue.

17 (6) A certificate that is not renewed within four years after its
18 expiration shall not be renewed, restored, reissued, or reinstated
19 except upon completion of a certification training program, passing
20 any test that may be required of an applicant for a new certificate
21 at that time, and paying the appropriate fees provided for in this
22 section.

23 (7) A fee of twenty-five dollars (\$25) shall be charged for the
24 reissuance of a lost certificate.

25 (8) A certificate holder shall inform the department of his or
26 her employment status and change of mailing address within 30
27 days of any change.

28 (i) Unless otherwise ordered by the department, the certificate
29 shall be considered forfeited under either of the following
30 conditions:

31 (1) The department has revoked any license held by the
32 administrator after the department issued the certificate.

33 (2) The department has issued an exclusion order against the
34 administrator pursuant to Section 1558, 1568.092, 1569.58, or
35 1596.8897, after the department issued the certificate, and the
36 administrator did not appeal the exclusion order or, after the appeal,
37 the department issued a decision and order that upheld the
38 exclusion order.

39 (j) (1) The department, in consultation and collaboration with
40 county placement officials, provider organizations, the State

1 Department of Health Care Services, and the State Department of
2 Developmental Services, shall establish, by regulation, the program
3 content, the testing instrument, the process for approving
4 administrator certification training programs, and criteria to be
5 used in authorizing individuals, organizations, or educational
6 institutions to conduct certification training programs and
7 continuing education courses. The department may also grant
8 continuing education hours for continuing courses offered by
9 accredited educational institutions that are consistent with the
10 requirements in this section. The department may deny vendor
11 approval to any agency or person in any of the following
12 circumstances:

13 (A) The applicant has not provided the department with evidence
14 satisfactory to the department of the ability of the applicant to
15 satisfy the requirements of vendorization set out in the regulations
16 adopted by the department.

17 (B) The applicant person or agency has a conflict of interest in
18 that the person or agency places its clients in group homes or
19 short-term residential therapeutic programs.

20 (C) The applicant public or private agency has a conflict of
21 interest in that the agency is mandated to place clients in group
22 homes or short-term residential therapeutic programs and to pay
23 directly for the services. The department may deny vendorization
24 to this type of agency only as long as there are other vendor
25 programs available to conduct the certification training programs
26 and conduct education courses.

27 (2) The department may authorize vendors to conduct the
28 administrator's certification training program pursuant to this
29 section. The department shall conduct the written test pursuant to
30 regulations adopted by the department.

31 (3) The department shall prepare and maintain an updated list
32 of approved training vendors.

33 (4) The department may inspect administrator certification
34 training programs and continuing education courses, including
35 online courses, at no charge to the department, to determine if
36 content and teaching methods comply with regulations. If the
37 department determines that any vendor is not complying with the
38 requirements of this section, the department shall take appropriate
39 action to bring the program into compliance, which may include
40 removing the vendor from the approved list.

1 (5) The department shall establish reasonable procedures and
2 timeframes not to exceed 30 days for the approval of vendor
3 training programs.

4 (6) The department may charge a reasonable fee, not to exceed
5 one hundred fifty dollars (\$150) every two years, to certification
6 program vendors for review and approval of the initial 40-hour
7 training program pursuant to subdivision (c). The department may
8 also charge the vendor a fee, not to exceed one hundred dollars
9 (\$100) every two years, for the review and approval of the
10 continuing education courses needed for recertification pursuant
11 to this subdivision.

12 (7) (A) A vendor of online programs for continuing education
13 shall ensure that each online course contains all of the following:

14 (i) An interactive portion in which the participant receives
15 feedback, through online communication, based on input from the
16 participant.

17 (ii) Required use of a personal identification number or personal
18 identification information to confirm the identity of the participant.

19 (iii) A final screen displaying a printable statement, to be signed
20 by the participant, certifying that the identified participant
21 completed the course. The vendor shall obtain a copy of the final
22 screen statement with the original signature of the participant prior
23 to the issuance of a certificate of completion. The signed statement
24 of completion shall be maintained by the vendor for a period of
25 three years and be available to the department upon demand. Any
26 person who certifies as true any material matter pursuant to this
27 clause that he or she knows to be false is guilty of a misdemeanor.

28 (B) Nothing in this subdivision shall prohibit the department
29 from approving online programs for continuing education that do
30 not meet the requirements of subparagraph (A) if the vendor
31 demonstrates to the department's satisfaction that, through
32 advanced technology, the course and the course delivery meet the
33 requirements of this section.

34 (k) The department shall establish a registry for holders of
35 certificates that shall include, at a minimum, information on
36 employment status and criminal record clearance.

37 (l) Notwithstanding any law to the contrary, vendors approved
38 by the department who exclusively provide either initial or
39 continuing education courses for certification of administrators of
40 a group home or short-term residential therapeutic program as

1 defined by regulations of the department, an adult residential
2 facility as defined by regulations of the department, or a residential
3 care facility for the elderly as defined in subdivision (k) of Section
4 1569.2, shall be regulated solely by the department pursuant to
5 this chapter. No other state or local governmental entity shall be
6 responsible for regulating the activity of those vendors.

7 SEC. 2. Section 1529.2 of the Health and Safety Code is
8 amended to read:

9 1529.2. (a) It is the intent of the Legislature that all foster
10 parents have the necessary knowledge, skills, and abilities to
11 support the safety, permanency, and well-being of children in foster
12 care. Initial and ongoing preparation and training of foster parents
13 should support the foster parent's role in parenting vulnerable
14 children, youth, and young adults, including supporting the
15 children's connection with their families. Their training should be
16 ongoing in order to provide foster parents with information on new
17 practices and requirements and other helpful topics within the child
18 welfare and probation systems and may be offered in a classroom
19 setting, online, or individually.

20 (b) A licensed or certified foster parent shall complete a
21 minimum of eight training hours annually, a portion of which shall
22 be from one or more of the following topics, as prescribed by the
23 department, pursuant to subdivision (a):

24 (1) Age-appropriate child and adolescent development.

25 (2) Health issues in foster care, including, but not limited to,
26 the authorization, uses, risks, benefits, assistance with
27 self-administration, oversight, and monitoring of psychotropic or
28 other medications, and trauma, mental health, and substance use
29 disorder treatments for children in foster care under the jurisdiction
30 of the juvenile court, including how to access those treatments.
31 Health issues in foster care, including, but not limited to, the
32 authorization, uses, risks, benefits, assistance with
33 self-administration, oversight, and monitoring of psychotropic or
34 other medications, and trauma, mental health, and substance use
35 disorder treatments for children in foster care under the jurisdiction
36 of the juvenile court, including how to access those treatments, as
37 the information is also described in subdivision (d) of Section
38 16501.4 of the Welfare and Institutions Code.

39 (3) Positive discipline and the importance of self-esteem.

1 (4) Preparation of children and youth for a successful transition
2 to adulthood.

3 (5) The right of a foster child to have fair and equal access to
4 all available services, placement, care, treatment, and benefits, and
5 to not be subjected to discrimination or harassment on the basis
6 of actual or perceived race, ethnic group identification, ancestry,
7 national origin, color, religion, sex, sexual orientation, gender
8 identity, mental or physical disability, or HIV status.

9 (6) Instruction on cultural competency and sensitivity and related
10 best practices for providing adequate care for children across
11 diverse ethnic and racial backgrounds, as well as children
12 identifying as lesbian, gay, bisexual, or transgender.

13 (7) *The information described in subdivision (h) of Section*
14 *16521.5.*

15 (c) In addition to any training required by this section, a foster
16 parent may be required to receive specialized training, as relevant,
17 for the purpose of preparing the foster parent to meet the needs of
18 a particular child in care. This training may include, but is not
19 limited to, the following:

20 (1) Understanding how to use best practices for providing care
21 and supervision to commercially sexually exploited children.

22 (2) Understanding cultural needs of children, including, but not
23 limited to, cultural competency and sensitivity and related best
24 practices for providing adequate care to children across diverse
25 ethnic and racial backgrounds, as well as children identifying as
26 lesbian, gay, bisexual, or transgender.

27 (3) Understanding the requirements and best practices regarding
28 psychotropic medications, including, but not limited to, court
29 authorization, benefits, uses, side effects, interactions, assistance
30 with self-administration, misuse, documentation, storage, and
31 metabolic monitoring of children prescribed psychotropic
32 medications.

33 (4) Understanding the federal Indian Child Welfare Act (25
34 U.S.C. Sec. 1901 et seq.), its historical significance, the rights of
35 children covered by the act, and the best interests of Indian
36 children, including the role of the caregiver in supporting culturally
37 appropriate, child-centered practices that respect Native American
38 history, culture, retention of tribal membership and connection to
39 the tribal community and traditions.

- 1 (5) Understanding how to use best practices for providing care
2 and supervision to nonminor dependents.
- 3 (6) Understanding how to use best practices for providing care
4 and supervision to children with special health care needs.
- 5 (d) No child shall be placed with a foster parent unless each
6 foster parent in the home meets the requirements of this section.
- 7 (e) (1) Upon the request of the licensed or certified foster parent
8 for a hardship waiver from the annual training requirement or a
9 request for an extension of the deadline, the county may, at its
10 option, on a case-by-case basis, waive the training requirement or
11 extend any established deadline for a period not to exceed one
12 year, if the training requirement presents a severe and unavoidable
13 obstacle to continuing as a foster parent.
- 14 (2) Obstacles for which a county may grant a hardship waiver
15 or extension are:
- 16 (A) Lack of access to training due to the cost or travel required
17 or lack of child care to participate in the training, when online
18 resources are not available.
- 19 (B) Family emergency.
- 20 (3) Before a waiver or extension may be granted, the licensed
21 or certified foster parent should explore the opportunity of
22 receiving training online or by video or written materials.
- 23 (f) (1) Foster parent training may be obtained through sources
24 that include, but are not necessarily limited to, community colleges,
25 counties, hospitals, foster parent associations, the California State
26 Foster Parent Association's conference, online resources, adult
27 schools, and certified foster parent instructors.
- 28 (2) In addition to the foster parent training provided by
29 community colleges, foster family agencies shall provide a program
30 of training for their certified foster families.
- 31 (g) (1) Training certificates shall be submitted to the appropriate
32 licensing or foster family agency.
- 33 (2) Upon completion, a licensed or certified parent shall submit
34 a certificate of completion for the annual training requirements.
- 35 (h) Nothing in this section shall preclude a county or a foster
36 family agency from requiring foster parent training in excess of
37 the requirements in this section.
- 38 (i) This section shall become operative on January 1, 2017.

1 (j) This section shall remain in effect only until January 1, 2019,
2 and as of that date is repealed, unless a later enacted statute, that
3 is enacted before January 1, 2019, deletes or extends that date.

4 SEC. 3. Section 304.7 of the Welfare and Institutions Code is
5 amended to read:

6 304.7. (a) The Judicial Council shall develop and implement
7 standards for the education and training of all judges who conduct
8 hearings pursuant to Section 300. The training shall include, but
9 not be limited to, all of the following:

10 (1) A component relating to Section 300 proceedings for newly
11 appointed or elected judges and an annual training session in
12 Section 300 proceedings.

13 (2) Cultural competency and sensitivity relating to, and best
14 practices for, providing adequate care to lesbian, gay, bisexual,
15 and transgender youth.

16 (3) The information described in subdivision (d) of Section
17 16501.4.

18 (4) *The information described in subdivision (h) of Section*
19 *16521.5.*

20 (b) A commissioner or referee who is assigned to conduct
21 hearings held pursuant to Section 300 shall meet the minimum
22 standards for education and training established pursuant to
23 subdivision (a), by July 31, 1998.

24 (c) The Judicial Council shall submit an annual report to the
25 Legislature on compliance by judges, commissioners, and referees
26 with the education and training standards described in subdivisions
27 (a) and (b).

28 SEC. 4. Section 16206 of the Welfare and Institutions Code is
29 amended to read:

30 16206. (a) The purpose of the program is to develop and
31 implement statewide coordinated training programs designed
32 specifically to meet the needs of county child protective services
33 social workers assigned emergency response, family maintenance,
34 family reunification, permanent placement, and adoption
35 responsibilities. It is the intent of the Legislature that the program
36 include training for other agencies under contract with county
37 welfare departments to provide child welfare services. In addition,
38 the program shall provide training programs for persons defined
39 as a mandated reporter pursuant to the Child Abuse and Neglect
40 Reporting Act (Article 2.5 (commencing with Section 11164) of

1 Chapter 2 of Title 1 of Part 4 of the Penal Code). The program
2 shall provide the services required in this section to the extent
3 possible within the total allocation. If allocations are insufficient,
4 the department, in consultation with the grantee or grantees and
5 the Child Welfare Training Advisory Board, shall prioritize the
6 efforts of the program, giving primary attention to the most
7 urgently needed services. County child protective services social
8 workers assigned emergency response responsibilities shall receive
9 first priority for training pursuant to this section.

10 (b) The training program shall provide practice-relevant training
11 for mandated child abuse reporters and all members of the child
12 welfare delivery system that will address critical issues affecting
13 the well-being of children, and shall develop curriculum materials
14 and training resources for use in meeting staff development needs
15 of mandated child abuse reporters and child welfare personnel in
16 public and private agency settings.

17 (c) The training provided pursuant to this section shall include
18 all of the following:

19 (1) Crisis intervention.

20 (2) Investigative techniques.

21 (3) Rules of evidence.

22 (4) Indicators of abuse and neglect.

23 (5) Assessment criteria, including the application of guidelines
24 for assessment of relatives for placement according to the criteria
25 described in Section 361.3.

26 (6) Intervention strategies.

27 (7) Legal requirements of child protection, including
28 requirements of child abuse reporting laws.

29 (8) Case management.

30 (9) Use of community resources.

31 (10) Information regarding the dynamics and effects of domestic
32 violence upon families and children, including indicators and
33 dynamics of teen dating violence.

34 (11) Posttraumatic stress disorder and the causes, symptoms,
35 and treatment of posttraumatic stress disorder in children.

36 (12) The importance of maintaining relationships with
37 individuals who are important to a child in out-of-home placement,
38 including methods to identify those individuals, consistent with
39 the child's best interests, including, but not limited to, asking the

1 child about individuals who are important, and ways to maintain
2 and support those relationships.

3 (13) The legal duties of a child protective services social worker,
4 in order to protect the legal rights and safety of children and
5 families from the initial time of contact during investigation
6 through treatment.

7 (14) The information described in subdivision (d) of Section
8 16501.4.

9 (15) *The information described in subdivision (h) of Section*
10 *16521.5. The program may use the curriculum created pursuant*
11 *to subdivision (h) of Section 16521.5.*

12 (d) The training provided pursuant to this section may also
13 include any or all of the following:

- 14 (1) Child development and parenting.
- 15 (2) Intake, interviewing, and initial assessment.
- 16 (3) Casework and treatment.
- 17 (4) Medical aspects of child abuse and neglect.

18 (e) The training program in each county shall assess the
19 program’s performance at least annually and forward it to the State
20 Department of Social Services for an evaluation. The assessment
21 shall include, at a minimum, all of the following:

- 22 (1) Workforce data, including education, qualifications, and
23 demographics.
- 24 (2) The number of persons trained.
- 25 (3) The type of training provided.
- 26 (4) The degree to which the training is perceived by participants
27 as useful in practice.

28 (5) Any additional information or data deemed necessary by
29 the department for reporting, oversight, and monitoring purposes.

30 (f) The training program shall provide practice-relevant training
31 to county child protective services social workers who screen
32 referrals for child abuse or neglect and for all workers assigned to
33 provide emergency response, family maintenance, family
34 reunification, and permanent placement services. The training shall
35 be developed in consultation with the Child Welfare Training
36 Advisory Board and domestic violence victims’ advocates and
37 other public and private agencies that provide programs for victims
38 of domestic violence or programs of intervention for perpetrators.

39 SEC. 5. Section 16501.1 of the Welfare and Institutions Code
40 is amended to read:

1 16501.1. (a) (1) The Legislature finds and declares that the
2 foundation and central unifying tool in child welfare services is
3 the case plan.

4 (2) The Legislature further finds and declares that a case plan
5 ensures that the child receives protection and safe and proper care
6 and case management, and that services are provided to the child
7 and parents or other caretakers, as appropriate, in order to improve
8 conditions in the parent's home, to facilitate the safe return of the
9 child to a safe home or the permanent placement of the child, and
10 to address the needs of the child while in foster care.

11 (3) The agency shall consider the recommendations of the child
12 and family team, as defined in Section 16501, if any are available.
13 The agency shall document the rationale for any inconsistencies
14 between the case plan and the child and family team
15 recommendations.

16 (b) (1) A case plan shall be based upon the principles of this
17 section and the input from the child and family team.

18 (2) The case plan shall document that a preplacement assessment
19 of the service needs of the child and family, and preplacement
20 preventive services, have been provided, and that reasonable efforts
21 to prevent out-of-home placement have been made. Preplacement
22 services may include intensive mental health services in the home
23 or a community setting and the reasonable efforts made to prevent
24 out-of-home placement.

25 (3) In determining the reasonable services to be offered or
26 provided, the child's health and safety shall be the paramount
27 concerns.

28 (4) Upon a determination pursuant to paragraph (1) of
29 subdivision (e) of Section 361.5 that reasonable services will be
30 offered to a parent who is incarcerated in a county jail or state
31 prison, detained by the United States Department of Homeland
32 Security, or deported to his or her country of origin, the case plan
33 shall include information, to the extent possible, about a parent's
34 incarceration in a county jail or the state prison, detention by the
35 United States Department of Homeland Security, or deportation
36 during the time that a minor child of that parent is involved in
37 dependency care.

38 (5) Reasonable services shall be offered or provided to make it
39 possible for a child to return to a safe home environment, unless,

1 pursuant to subdivisions (b) and (e) of Section 361.5, the court
2 determines that reunification services shall not be provided.

3 (6) If reasonable services are not ordered, or are terminated,
4 reasonable efforts shall be made to place the child in a timely
5 manner in accordance with the permanent plan and to complete
6 all steps necessary to finalize the permanent placement of the child.

7 (c) If out-of-home placement is used to attain case plan goals,
8 the case plan shall consider the recommendations of the child and
9 family team.

10 (d) (1) The case plan shall include a description of the type of
11 home or institution in which the child is to be placed, and the
12 reasons for that placement decision. The decision regarding choice
13 of placement shall be based upon selection of a safe setting that is
14 the least restrictive family setting that promotes normal childhood
15 experiences and the most appropriate setting that meets the child's
16 individual needs and is available, in proximity to the parent's home,
17 in proximity to the child's school, and consistent with the selection
18 of the environment best suited to meet the child's special needs
19 and best interests. The selection shall consider, in order of priority,
20 placement with relatives, nonrelated extended family members,
21 and tribal members; foster family homes, resource families, and
22 nontreatment certified homes of foster family agencies; followed
23 by treatment and intensive treatment certified homes of foster
24 family agencies; or multidimensional treatment foster care homes
25 or therapeutic foster care homes; group care placements in the
26 order of short-term residential therapeutic programs, group homes,
27 community treatment facilities, and out-of-state residential
28 treatment pursuant to Part 5 (commencing with Section 7900) of
29 Division 12 of the Family Code.

30 (2) If a short-term residential therapeutic program placement is
31 selected for a child, the case plan shall indicate the needs of the
32 child that necessitate this placement, the plan for transitioning the
33 child to a less restrictive environment, and the projected timeline
34 by which the child will be transitioned to a less restrictive
35 environment. This section of the case plan shall be reviewed and
36 updated at least semiannually.

37 (A) The case plan for placements in a group home, or
38 commencing January 1, 2017, in a short-term residential therapeutic
39 program, shall indicate that the county has taken into consideration
40 Section 16010.8.

1 (B) After January 1, 2017, a child and family team meeting as
2 described in Section 16501 shall be convened by the county placing
3 agency for the purpose of identifying the supports and services
4 needed to achieve permanency and enable the child or youth to be
5 placed in the least restrictive family setting that promotes normal
6 childhood experiences.

7 (3) On or after January 1, 2012, for a nonminor dependent, as
8 defined in subdivision (v) of Section 11400, who is receiving
9 AFDC-FC benefits and who is up to 21 years of age pursuant to
10 Section 11403, in addition to the above requirements, the selection
11 of the placement, including a supervised independent living
12 placement, as described in subdivision (w) of Section 11400, shall
13 also be based upon the developmental needs of young adults by
14 providing opportunities to have incremental responsibilities that
15 prepare a nonminor dependent to transition to successful adulthood.
16 If admission to, or continuation in, a group home or short-term
17 residential therapeutic program placement is being considered for
18 a nonminor dependent, the group home or short-term residential
19 therapeutic program placement approval decision shall include a
20 youth-driven, team-based case planning process, as defined by the
21 department, in consultation with stakeholders. The case plan shall
22 consider the full range of placement options, and shall specify why
23 admission to, or continuation in, a group home placement is the
24 best alternative available at the time to meet the special needs or
25 well-being of the nonminor dependent, and how the placement
26 will contribute to the nonminor dependent's transition to successful
27 adulthood. The case plan shall specify the treatment strategies that
28 will be used to prepare the nonminor dependent for discharge to
29 a less restrictive family setting that promotes normal childhood
30 experiences, including a target date for discharge from the group
31 home placement. The placement shall be reviewed and updated
32 on a regular, periodic basis to ensure that continuation in the group
33 home placement remains in the best interests of the nonminor
34 dependent and that progress is being made in achieving case plan
35 goals leading to successful adulthood. The group home placement
36 planning process shall begin as soon as it becomes clear to the
37 county welfare department or probation office that a foster child
38 in group home placement is likely to remain in group home
39 placement on his or her 18th birthday, in order to expedite the
40 transition to a less restrictive family setting that promotes normal

1 childhood experiences, if he or she becomes a nonminor dependent.
2 The case planning process shall include informing the youth of all
3 of his or her options, including, but not limited to, admission to
4 or continuation in a group home placement. Consideration for
5 continuation of existing group home placement for a nonminor
6 dependent under 19 years of age may include the need to stay in
7 the same placement in order to complete high school. After a
8 nonminor dependent either completes high school or attains his or
9 her 19th birthday, whichever is earlier, continuation in or admission
10 to a group home placement is prohibited unless the nonminor
11 dependent satisfies the conditions of paragraph (5) of subdivision
12 (b) of Section 11403, and group home placement functions as a
13 short-term transition to the appropriate system of care. Treatment
14 services provided by the group home placement to the nonminor
15 dependent to alleviate or ameliorate the medical condition, as
16 described in paragraph (5) of subdivision (b) of Section 11403,
17 shall not constitute the sole basis to disqualify a nonminor
18 dependent from the group home placement.

19 (4) In addition to the requirements of paragraphs (1) to (3),
20 inclusive, and taking into account other statutory considerations
21 regarding placement, the selection of the most appropriate home
22 that will meet the child's special needs and best interests shall also
23 promote educational stability by taking into consideration
24 proximity to the child's school of origin, and school attendance
25 area, the number of school transfers the child has previously
26 experienced, and the child's school matriculation schedule, in
27 addition to other indicators of educational stability that the
28 Legislature hereby encourages the State Department of Social
29 Services and the State Department of Education to develop.

30 (e) A written case plan shall be completed within a maximum
31 of 60 days of the initial removal of the child or of the in-person
32 response required under subdivision (f) of Section 16501 if the
33 child has not been removed from his or her home, or by the date
34 of the dispositional hearing pursuant to Section 358, whichever
35 occurs first. The case plan shall be updated, as the service needs
36 of the child and family dictate. At a minimum, the case plan shall
37 be updated in conjunction with each status review hearing
38 conducted pursuant to Sections 364, 366, 366.3, and 366.31, and
39 the hearing conducted pursuant to Section 366.26, but no less
40 frequently than once every six months. Each updated case plan

1 shall include a description of the services that have been provided
2 to the child under the plan and an evaluation of the appropriateness
3 and effectiveness of those services.

4 (1) It is the intent of the Legislature that extending the maximum
5 time available for preparing a written case plan from 30 to 60 days
6 will afford caseworkers time to actively engage families, and to
7 solicit and integrate into the case plan the input of the child and
8 the child's family, as well as the input of relatives and other
9 interested parties.

10 (2) The extension of the maximum time available for preparing
11 a written case plan from 30 to 60 days shall be effective 90 days
12 after the date that the department gives counties written notice that
13 necessary changes have been made to the Child Welfare
14 Services/Case Management System (CWS/CMS) to account for
15 the 60-day timeframe for preparing a written case plan.

16 (f) The child welfare services case plan shall be comprehensive
17 enough to meet the juvenile court dependency proceedings
18 requirements pursuant to Article 6 (commencing with Section 300)
19 of Chapter 2 of Part 1 of Division 2.

20 (g) The case plan shall be developed considering the
21 recommendations of the child and family team, as follows:

22 (1) The case plan shall be based upon an assessment of the
23 circumstances that required child welfare services intervention.
24 The child shall be involved in developing the case plan as age and
25 developmentally appropriate.

26 (2) The case plan shall identify specific goals and the
27 appropriateness of the planned services in meeting those goals.

28 (3) The case plan shall identify the original allegations of abuse
29 or neglect, as defined in Article 2.5 (commencing with Section
30 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code, or the
31 conditions cited as the basis for declaring the child a dependent of
32 the court pursuant to Section 300, or all of these, and the other
33 precipitating incidents that led to child welfare services
34 intervention.

35 (4) The case plan shall include a description of the schedule of
36 the placement agency contacts with the child and the family or
37 other caretakers. The frequency of these contacts shall be in
38 accordance with regulations adopted by the State Department of
39 Social Services. If the child has been placed in foster care out of
40 state, the county social worker or probation officer, or a social

1 worker or probation officer on the staff of the agency in the state
2 in which the child has been placed, shall visit the child in a foster
3 family home or the home of a relative, consistent with federal law
4 and in accordance with the department's approved state plan. For
5 children in out-of-state group home facilities, visits shall be
6 conducted at least monthly, pursuant to Section 16516.5. At least
7 once every six months, at the time of a regularly scheduled
8 placement agency contact with the foster child, and at each
9 placement change, the child's social worker or probation officer
10 shall inform the child, the care provider, and the child and family
11 team, if applicable, of the child's rights as a foster child, as
12 specified in Section 16001.9, and shall provide a written copy of
13 the rights to the child as part of the explanation. The social worker
14 or probation officer shall provide the information to the child in a
15 manner appropriate to the age or developmental level of the child.
16 The social worker or probation officer shall document in the case
17 plan that he or she has informed the child of, and has provided the
18 child with a written copy of, his or her rights.

19 (5) (A) When out-of-home services are used, the frequency of
20 contact between the natural parents or legal guardians and the child
21 shall be specified in the case plan. The frequency of those contacts
22 shall reflect overall case goals, and consider other principles
23 outlined in this section.

24 (B) Information regarding any court-ordered visitation between
25 the child and the natural parents or legal guardians, and the terms
26 and conditions needed to facilitate the visits while protecting the
27 safety of the child, shall be provided to the child's out-of-home
28 caregiver as soon as possible after the court order is made.

29 (6) When out-of-home placement is made, the case plan shall
30 include provisions for the development and maintenance of sibling
31 relationships as specified in subdivisions (b), (c), and (d) of Section
32 16002. If appropriate, when siblings who are dependents of the
33 juvenile court are not placed together, the social worker for each
34 child, if different, shall communicate with each of the other social
35 workers and ensure that the child's siblings are informed of
36 significant life events that occur within their extended family.
37 Unless it has been determined that it is inappropriate in a particular
38 case to keep siblings informed of significant life events that occur
39 within the extended family, the social worker shall determine the
40 appropriate means and setting for disclosure of this information

1 to the child commensurate with the child's age and emotional
2 well-being. These significant life events shall include, but shall
3 not be limited to, the following:

4 (A) The death of an immediate relative.

5 (B) The birth of a sibling.

6 (C) Significant changes regarding a dependent child, unless the
7 child objects to the sharing of the information with his or her
8 siblings, including changes in placement, major medical or mental
9 health diagnoses, treatments, or hospitalizations, arrests, and
10 changes in the permanent plan.

11 (7) If out-of-home placement is made in a foster family home,
12 group home, or other child care institution that is either a
13 substantial distance from the home of the child's parent or out of
14 state, the case plan shall specify the reasons why that placement
15 is in the best interest of the child. When an out-of-state group home
16 placement is recommended or made, the case plan shall, in
17 addition, specify compliance with Section 7911.1 of the Family
18 Code.

19 (8) A case plan shall ensure the educational stability of the child
20 while in foster care and shall include both of the following:

21 (A) An assurance that the placement takes into account the
22 appropriateness of the current educational setting and the proximity
23 to the school in which the child is enrolled at the time of placement.

24 (B) An assurance that the placement agency has coordinated
25 with the person holding the right to make educational decisions
26 for the child and appropriate local educational agencies to ensure
27 that the child remains in the school in which the child is enrolled
28 at the time of placement or, if remaining in that school is not in
29 the best interests of the child, assurances by the placement agency
30 and the local educational agency to provide immediate and
31 appropriate enrollment in a new school and to provide all of the
32 child's educational records to the new school.

33 (9) (A) If out-of-home services are used, or if parental rights
34 have been terminated and the case plan is placement for adoption,
35 the case plan shall include a recommendation regarding the
36 appropriateness of unsupervised visitation between the child and
37 any of the child's siblings. This recommendation shall include a
38 statement regarding the child's and the siblings' willingness to
39 participate in unsupervised visitation. If the case plan includes a
40 recommendation for unsupervised sibling visitation, the plan shall

1 also note that information necessary to accomplish this visitation
2 has been provided to the child or to the child's siblings.

3 (B) Information regarding the schedule and frequency of the
4 visits between the child and siblings, as well as any court-ordered
5 terms and conditions needed to facilitate the visits while protecting
6 the safety of the child, shall be provided to the child's out-of-home
7 caregiver as soon as possible after the court order is made.

8 (10) If out-of-home services are used and the goal is
9 reunification, the case plan shall describe the services to be
10 provided to assist in reunification and the services to be provided
11 concurrently to achieve legal permanency if efforts to reunify fail.
12 The plan shall also consider in-state and out-of-state placements,
13 the importance of developing and maintaining sibling relationships
14 pursuant to Section 16002, and the desire and willingness of the
15 caregiver to provide legal permanency for the child if reunification
16 is unsuccessful.

17 (11) If out-of-home services are used, the child has been in care
18 for at least 12 months, and the goal is not adoptive placement, the
19 case plan shall include documentation of the compelling reason
20 or reasons why termination of parental rights is not in the child's
21 best interest. A determination completed or updated within the
22 past 12 months by the department when it is acting as an adoption
23 agency or by a licensed adoption agency that it is unlikely that the
24 child will be adopted, or that one of the conditions described in
25 paragraph (1) of subdivision (c) of Section 366.26 applies, shall
26 be deemed a compelling reason.

27 (12) (A) Parents and legal guardians shall have an opportunity
28 to review the case plan, and to sign it whenever possible, and then
29 shall receive a copy of the plan. In a voluntary service or placement
30 agreement, the parents or legal guardians shall be required to
31 review and sign the case plan. Whenever possible, parents and
32 legal guardians shall participate in the development of the case
33 plan. Commencing January 1, 2012, for nonminor dependents, as
34 defined in subdivision (v) of Section 11400, who are receiving
35 AFDC-FC or CalWORKs assistance and who are up to 21 years
36 of age pursuant to Section 11403, the transitional independent
37 living case plan, as set forth in subdivision (y) of Section 11400,
38 shall be developed with, and signed by, the nonminor.

39 (B) Parents and legal guardians shall be advised that, pursuant
40 to Section 1228.1 of the Evidence Code, neither their signature on

1 the child welfare services case plan nor their acceptance of any
2 services prescribed in the child welfare services case plan shall
3 constitute an admission of guilt or be used as evidence against the
4 parent or legal guardian in a court of law. However, they shall also
5 be advised that the parent's or guardian's failure to cooperate,
6 except for good cause, in the provision of services specified in the
7 child welfare services case plan may be used in any hearing held
8 pursuant to Section 366.21, 366.22, or 366.25 of this code as
9 evidence.

10 (13) A child shall be given a meaningful opportunity to
11 participate in the development of the case plan and state his or her
12 preference for foster care placement. A child who is 12 years of
13 age or older and in a permanent placement shall also be given the
14 opportunity to review the case plan, sign the case plan, and receive
15 a copy of the case plan.

16 (14) The case plan shall be included in the court report and shall
17 be considered by the court at the initial hearing and each review
18 hearing. Modifications to the case plan made during the period
19 between review hearings need not be approved by the court if the
20 casework supervisor for that case determines that the modifications
21 further the goals of the plan. If out-of-home services are used with
22 the goal of family reunification, the case plan shall consider and
23 describe the application of subdivision (b) of Section 11203.

24 (15) (A) If the case plan has as its goal for the child a permanent
25 plan of adoption or legal guardianship, it shall include a statement
26 of the child's wishes regarding their permanent placement plan
27 and an assessment of those stated wishes. The agency shall also
28 include documentation of the steps the agency is taking to find an
29 adoptive family or other permanent living arrangements for the
30 child; to place the child with an adoptive family, an appropriate
31 and willing relative, or a legal guardian, and to finalize the adoption
32 or legal guardianship. At a minimum, the documentation shall
33 include child-specific recruitment efforts, such as the use of state,
34 regional, and national adoption exchanges, including electronic
35 exchange systems, when the child has been freed for adoption.
36 Regardless of whether the child has been freed for adoption,
37 documentation shall include a description of any barriers to
38 achieving legal permanence and the steps the agency will take to
39 address those barriers. If the plan is for kinship guardianship, the

1 case plan shall document how the child meets the kinship
2 guardianship eligibility requirements.

3 (B) When the child is 16 years of age or older and is in another
4 planned permanent living arrangement, the case plan shall identify
5 the intensive and ongoing efforts to return the child to the home
6 of the parent, place the child for adoption, place the child for tribal
7 customary adoption in the case of an Indian child, establish a legal
8 guardianship, or place the child nonminor dependent with a fit and
9 willing relative, as appropriate. Efforts shall include the use of
10 technology, including social media, to find biological family
11 members of the child.

12 (16) (A) (i) For a child who is 14 or 15 years of age, the case
13 plan shall include a written description of the programs and services
14 that will help the child, consistent with the child's best interests,
15 to prepare for the transition from foster care to successful
16 adulthood. The description may be included in the document
17 described in subparagraph (A) of paragraph (18).

18 (ii) When appropriate, for a child who is 16 years of age or older
19 and, commencing January 1, 2012, for a nonminor dependent, the
20 case plan shall include the transitional independent living plan
21 (TILP), a written description of the programs and services that
22 will help the child, consistent with the child's best interests, to
23 prepare for the transition from foster care to successful adulthood,
24 and, in addition, whether the youth has an in-progress application
25 pending for Title XVI Supplemental Security Income benefits or
26 for Special Immigrant Juvenile Status or other applicable
27 application for legal residency and an active dependency case is
28 required for that application. When appropriate, for a nonminor
29 dependent, the transitional independent living case plan, as
30 described in subdivision (v) of Section 11400, shall include the
31 TILP, a written description of the programs and services that will
32 help the nonminor dependent, consistent with his or her best
33 interests, to prepare for transition from foster care and assist the
34 youth in meeting the eligibility criteria set forth in paragraphs (1)
35 to (5), inclusive, of subdivision (b) of Section 11403. If applicable,
36 the case plan shall describe the individualized supervision provided
37 in the supervised independent living placement as defined in
38 subdivision (w) of Section 11400. The case plan shall be developed
39 with the child or nonminor dependent and individuals identified
40 as important to the child or nonminor dependent, and shall include

1 steps the agency is taking to ensure that the child or nonminor
2 dependent achieves permanence, including maintaining or
3 obtaining permanent connections to caring and committed adults.

4 (B) During the 90-day period prior to the participant attaining
5 18 years of age or older as the state may elect under Section
6 475(8)(B)(iii) of the federal Social Security Act (42 U.S.C. Sec.
7 675(8)(B)(iii)), whether during that period foster care maintenance
8 payments are being made on the child’s behalf or the child is
9 receiving benefits or services under Section 477 of the federal
10 Social Security Act (42 U.S.C. Sec. 677), a caseworker or other
11 appropriate agency staff or probation officer and other
12 representatives of the participant, as appropriate, shall provide the
13 youth or nonminor dependent with assistance and support in
14 developing the written 90-day transition plan, that is personalized
15 at the direction of the child, information as detailed as the
16 participant elects that shall include, but not be limited to, options
17 regarding housing, health insurance, education, local opportunities
18 for mentors and continuing support services, and workforce
19 supports and employment services, a power of attorney for health
20 care, and information regarding the advance health care directive
21 form. Information provided regarding health insurance options
22 shall include verification that the eligible youth or nonminor is
23 enrolled in Medi-Cal and a description of the steps that have been
24 or will be taken by the youth’s social worker or probation officer
25 to ensure that the eligible youth or nonminor is transitioned into
26 the Medi-Cal program for former foster youth upon case closure
27 with no interruption in coverage and with no new application being
28 required, as provided in Section 14005.28.

29 (C) For youth 14 years of age or older, the case plan shall
30 include documentation that a consumer credit report was requested
31 annually from each of the three major credit reporting agencies at
32 no charge to the youth and that any results were provided to the
33 youth. For nonminor dependents, the case plan shall include
34 documentation that the county assisted the nonminor dependent
35 in obtaining his or her reports. The case plan shall include
36 documentation of barriers, if any, to obtaining the credit reports.
37 If the consumer credit report reveals any accounts, the case plan
38 shall detail how the county ensured the youth received assistance
39 with interpreting the credit report and resolving any inaccuracies,
40 including any referrals made for the assistance.

1 (17) For youth 14 years of age or older and nonminor
2 dependents, the case plan shall be developed in consultation with
3 the youth. At the youth's option, the consultation may include up
4 to two members of the case planning team who are chosen by the
5 youth and who are not foster parents of, or caseworkers for, the
6 youth. The agency, at any time, may reject an individual selected
7 by the youth to be a member of the case planning team if the
8 agency has good cause to believe that the individual would not act
9 in the youth's best interest. One individual selected by the youth
10 to be a member of the case planning team may be designated to
11 be the youth's adviser and advocate with respect to the application
12 of the reasonable and prudent parent standard to the youth, as
13 necessary.

14 (18) For youth in foster care 14 years of age and older and
15 nonminor dependents, the case plan shall include both of the
16 following:

17 (A) A document that describes the youth's rights with respect
18 to education, health, visitation, and court participation, the right
19 to be annually provided with copies of his or her credit reports at
20 no cost while in foster care pursuant to Section 10618.6, and the
21 right to stay safe and avoid exploitation.

22 (B) A signed acknowledgment by the youth that he or she has
23 been provided a copy of the document and that the rights described
24 in the document have been explained to the youth in an
25 age-appropriate manner.

26 (19) The case plan for a child or nonminor dependent who is,
27 or who is at risk of becoming, the victim of commercial sexual
28 exploitation, shall document the services provided to address that
29 issue.

30 (20) *For youth in foster care 10 years of age and older and*
31 *nonminor dependents, the case plan shall include documentation*
32 *that at least once before 12 years of age, at least once between 12*
33 *and 14 years of age, at least two times between 15 and 18 years*
34 *of age, and at least once between the 19 and 21 years of age, the*
35 *youth has received comprehensive sexual health education that*
36 *meets the requirements established in Chapter 5.6 (commencing*
37 *with Section 51930) of Part 28 of Division 4 of Title 2 of the*
38 *Education Code. If the youth or nonminor dependent has not*
39 *received this instruction through school, the case plan shall*
40 *document how the county will ensure that the youth receives*

1 *education through an alternative source that meets the standards*
2 *established in Chapter 5.6 (commencing with Section 51930) of*
3 *Part 28 of Division 4 of Title 2 of the Education Code.*

4 (21) *For youth in foster care 10 years of age and older, the case*
5 *plan shall be updated yearly to identify how, during the upcoming*
6 *year, the agency will ensure the youth has access to*
7 *age-appropriate, medically accurate information on puberty,*
8 *reproductive and sexual health care, the prevention of unplanned*
9 *pregnancies, and the prevention, diagnosis, and treatment of*
10 *sexually transmitted infections, and how the agency will ensure*
11 *the youth is not facing any barriers to accessing reproductive and*
12 *sexual health care services or treatment.*

13 (h) If the court finds, after considering the case plan, that
14 unsupervised sibling visitation is appropriate and has been
15 consented to, the court shall order that the child or the child's
16 siblings, the child's current caregiver, and the child's prospective
17 adoptive parents, if applicable, be provided with information
18 necessary to accomplish this visitation. This section does not
19 require or prohibit the social worker's facilitation, transportation,
20 or supervision of visits between the child and his or her siblings.

21 (i) The case plan documentation on sibling placements required
22 under this section shall not require modification of existing case
23 plan forms until the Child Welfare Services/Case Management
24 System (CWS/CMS) is implemented on a statewide basis.

25 (j) When a child is 10 years of age or older and has been in
26 out-of-home placement for six months or longer, the case plan
27 shall include an identification of individuals, other than the child's
28 siblings, who are important to the child and actions necessary to
29 maintain the child's relationship with those individuals, provided
30 that those relationships are in the best interest of the child. The
31 social worker or probation officer shall ask every child who is 10
32 years of age or older and who has been in out-of-home placement
33 for six months or longer to identify individuals other than the
34 child's siblings who are important to the child, and may ask any
35 other child to provide that information, or may seek that
36 information from the child and family team, as appropriate. The
37 social worker or probation officer shall make efforts to identify
38 other individuals who are important to the child, consistent with
39 the child's best interests.

1 (k) The child's caregiver shall be provided a copy of a plan
2 outlining the child's needs and services. The nonminor dependent's
3 caregiver shall be provided with a copy of the nonminor's TILP.

4 (l) Each county shall ensure that the total number of visits made
5 by caseworkers on a monthly basis to children in foster care during
6 a federal fiscal year is not less than 95 percent of the total number
7 of those visits that would occur if each child were visited once
8 every month while in care and that the majority of the visits occur
9 in the residence of the child. The county child welfare and
10 probation departments shall comply with data reporting
11 requirements that the department deems necessary to comply with
12 the federal Child and Family Services Improvement Act of 2006
13 (Public Law 109-288) and the federal Child and Family Services
14 Improvement and Innovation Act (Public Law 112-34).

15 (m) The implementation and operation of the amendments to
16 subdivision (i) enacted at the 2005-06 Regular Session shall be
17 subject to appropriation through the budget process and by phase,
18 as provided in Section 366.35.

19 SEC. 6. Section 16521.5 of the Welfare and Institutions Code
20 is amended to read:

21 16521.5. (a) A foster care provider, in consultation with the
22 county case manager, shall be responsible for ensuring that
23 adolescents, including nonminor dependents, as described in
24 subdivision (v) of Section 11400, who remain in long-term foster
25 care, as defined by the department, receive age-appropriate
26 pregnancy prevention information to the extent state and county
27 resources are provided.

28 (b) A foster care provider, in consultation with the county case
29 manager, shall be responsible for ensuring that a foster youth or
30 nonminor dependent is provided with appropriate referrals to health
31 services when the foster youth either reaches 18 years of age or
32 the nonminor dependent exits foster care, and to the extent county
33 and state resources are provided.

34 (c) As part of the home study process, the prospective foster
35 care provider shall notify the county if he or she objects to
36 participating in adolescent pregnancy prevention training or the
37 dissemination of information pursuant to subdivisions (a) and (b).
38 A licensed foster care provider shall notify the county if he or she
39 objects to participation. If the provider objects, the county case
40 manager shall assume this responsibility.

1 (d) Subdivisions (a), (b), and (c) shall not take effect until the
2 department, in consultation with the workgroup, develops
3 guidelines that describe the duties and responsibilities of foster
4 care providers and county case managers in delivering pregnancy
5 prevention services and information.

6 (e) (1) The department, in consultation with the State
7 Department of Health Services, shall convene a working group
8 for the purpose of developing a pregnancy prevention plan that
9 will effectively address the needs of adolescent male and female
10 foster youth. The workgroup shall meet not more than three times
11 and thereafter shall provide consultation to the department upon
12 request.

13 (2) The working group shall include representatives from the
14 California Youth Connection, the Foster Parent’s Association,
15 group home provider associations, the County Welfare Director’s
16 Association, providers of teen pregnancy prevention programs, a
17 foster care case worker, an expert in pregnancy prevention
18 curricula, a representative of the Independent Living Program, and
19 an adolescent health professional.

20 (f) The plan required pursuant to subdivision (e) shall include,
21 but not be limited to, all of the following:

22 (1) Effective strategies and programs for preteen and older teen
23 foster youth and nonminor dependents.

24 (2) The role of foster care and group home care providers.

25 (3) The role of the assigned case management worker.

26 (4) How to involve foster youth and nonminor peers.

27 (5) Selecting and providing appropriate materials to educate
28 foster youth and nonminors in family life education.

29 (6) The training of foster care and group home care providers
30 and, when necessary, county case managers in adolescent
31 pregnancy prevention.

32 (g) Counties currently mandating foster care provider training
33 shall be encouraged to include the pregnancy prevention curricula
34 guidelines and educational materials that may be developed by the
35 workgroup pursuant to subdivision (f).

36 (h) *In order to train case management workers and foster care*
37 *providers, the department shall develop a curriculum that is*
38 *consistent with, and in addition to, the pregnancy prevention plan*
39 *and the curricula guidelines and educational materials developed*

1 by the workgroup pursuant to subdivisions (e) and (f) and that
2 addresses, at a minimum, all of the following:

3 (1) The rights of youth and nonminor dependents in foster care
4 to sexual and reproductive health care and information, to
5 confidentiality of sensitive health information, and the reasonable
6 prudent parent standard.

7 (2) How to document sensitive health information, including,
8 but not limited to, sexual and reproductive health issues, in a case
9 plan.

10 (3) The duties and responsibilities of the assigned case
11 management worker and the foster care provider in ensuring youth
12 and nonminor dependents in foster care can obtain sexual and
13 reproductive health services and information.

14 (4) Guidance about how to engage and talk with youth and
15 nonminor dependents about healthy sexual development and
16 reproductive and sexual health in a manner that is medically
17 accurate, developmentally and age-appropriate, trauma-informed,
18 and strengths based.

19 (5) Information about current contraception methods and how
20 to select and provide appropriate referral resources and materials
21 for information and service delivery.

22 ~~(h)~~

23 (i) The department shall adopt regulations to implement this
24 section.

25 SEC. 7. To the extent that this act has an overall effect of
26 increasing the costs already borne by a local agency for programs
27 or levels of service mandated by the 2011 Realignment Legislation
28 within the meaning of Section 36 of Article XIII of the California
29 Constitution, it shall apply to local agencies only to the extent that
30 the state provides annual funding for the cost increase. Any new
31 program or higher level of service provided by a local agency
32 pursuant to this act above the level for which funding has been
33 provided shall not require a subvention of funds by the state or
34 otherwise be subject to Section 6 of Article XIII B of the California
35 Constitution.

O