

AMENDED IN ASSEMBLY MARCH 19, 2018

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

## ASSEMBLY BILL

**No. 2083**

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**Introduced by Assembly Member Cooley**

February 7, 2018

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An act to add Section 16521.6 to the Welfare and Institutions Code, relating to foster youth.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2083, as amended, Cooley. Foster youth: trauma-informed system of care.

Existing law, commonly known as Continuum of Care Reform (CCR), states the intent of the Legislature in adopting CCR to improve California's child welfare system and its outcomes by using comprehensive initial child assessments, increasing the use of home-based family care and the provision of services and supports to home-based family care, reducing the use of congregate care placement settings, and creating faster paths to permanency resulting in shorter durations of involvement in the child welfare and juvenile justice systems. *specified measures, including an increase in the use of home-based family care.* Existing law, as part of CCR, provides for the implementation of the resource family approval process, which replaces the multiple processes for licensing foster family homes, certifying foster homes by foster family agencies, approving relatives and nonrelative extended family members as foster care providers, and approving guardians and adoptive families.

*As part of the resource family approval process, a county is responsible for, among other things, ensuring that a resource family applicant completes specified training that includes certain courses,*

*including one regarding the effects of trauma and child abuse and neglect on child development and behavior, and methods to behaviorally support children impacted by that trauma or child abuse and neglect. Existing law also establishes an intensive services foster care program, developed by the State Department of Social Services, that provides specialized programs to serve children with specific needs, and requires training for that program to include, among other things, information relating to working with children who have experienced trauma.*

~~This bill would state the intent of the Legislature to enact legislation that would in adopting the bill to build upon the current CCR implementation effort by, among other things, developing a coordinated coordinated, timely, and trauma-informed system-of-care approach to better provide care for foster youth, requiring specified agencies to develop and implement local memoranda of understanding to provide care management coordination for child welfare-involved children, youth, and families, and establishing a joint state interagency resolution team to support counties, as specified. for foster children and youth who have experienced severe trauma. The bill would require each county to develop and implement a memorandum of understanding, as specified, setting forth the roles and responsibilities of agencies and other entities that serve children and youth in foster care who have experienced severe trauma. By creating new duties for county officials relating to foster care services, the bill would impose a state-mandated local program.~~

*This bill would require the Secretary of California Health and Human Services and the Superintendent of Public Instruction, no later than June 1, 2019, to establish a joint interagency resolution team, consisting of representatives from specified state departments, whose primary roles would be to develop guidance and provide support and technical assistance to counties with regard to those children and youth and the memoranda of understanding, as specified. The bill would also require the team, no later than January 1, 2020, in consultation with specified entities and persons, to review the placement and service options available to county child welfare agencies and county probation departments for those children and youth, to develop and submit recommendations to the Legislature, as specified, and, no later than June 1, 2020, to develop a multiyear plan for increasing the capacity and delivery of trauma-informed care to foster children and youth served by short-term residential therapeutic programs and other foster care and behavioral health providers.*

*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: ~~no~~-yes.  
State-mandated local program: ~~no~~-yes.

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

1     SECTION 1. *It is the intent of the Legislature in adopting this*  
2 *act to build upon the current Continuum of Care Reform*  
3 *implementation effort by developing a coordinated, timely, and*  
4 *trauma-informed system-of-care approach for foster children and*  
5 *youth who have experienced severe trauma, implementing related*  
6 *memoranda of understanding on the county level, and establishing*  
7 *a joint interagency resolution team on the state level to assist*  
8 *counties in serving those children and youth.*

9     SEC. 2. *Section 16521.6 is added to the Welfare and Institutions*  
10 *Code, to read:*

11     16521.6. *To ensure that coordinated, timely, and*  
12 *trauma-informed services are provided to children and youth in*  
13 *foster care who have experienced severe trauma, all of the*  
14 *following shall be met:*

15     (a) (1) *Each county shall develop and implement a*  
16 *memorandum of understanding setting forth the roles and*  
17 *responsibilities of agencies and other entities that serve children*  
18 *and youth in foster care who have experienced severe trauma.*  
19 *Participants in the development and implementation of the*  
20 *memorandum of understanding shall include, but not be limited*  
21 *to, all of the following:*

22     (A) *The county child welfare agency.*

23     (B) *The county probation department.*

24     (C) *The county behavioral health departments.*

25     (D) *The county office of education.*

26     (E) *The regional center or centers that serve children and youth*  
27 *with developmental disabilities in the county.*

28     (2) *The memorandum of understanding shall include, at a*  
29 *minimum, provisions addressing all of the following:*

1 (A) Establishment and operation of an interagency leadership  
2 team.

3 (B) Establishment and operation of an interagency placement  
4 committee.

5 (C) Commitment to implementation of an integrated core  
6 practice model.

7 (D) Processes for screening, assessment, and entry to care.

8 (E) Processes for child and family teaming and universal service  
9 planning.

10 (F) Alignment and coordination of transportation and other  
11 foster youth services.

12 (G) Recruitment and management of resource families and  
13 delivery of therapeutic foster care services.

14 (H) Information and data sharing agreements.

15 (I) Staff recruitment, training, and coaching.

16 (J) Financial resource management and cost sharing.

17 (K) Dispute resolution.

18 (b) (1) (A) No later than June 1, 2019, the Secretary of  
19 California Health and Human Services and the Superintendent of  
20 Public Instruction shall establish a joint interagency resolution  
21 team consisting of representatives from the State Department of  
22 Social Services, the State Department of Health Care Services,  
23 the State Department of Developmental Services, and the State  
24 Department of Education.

25 (B) (i) The primary roles of the joint interagency resolution  
26 team shall be to develop guidance to counties, county offices of  
27 education, and regional centers with regard to developing the  
28 memoranda of understanding required by this section, to support  
29 the implementation of those memoranda of understanding, and to  
30 provide technical assistance to counties to identify and secure the  
31 appropriate level of services to meet the needs of children and  
32 youth in foster care who have experienced severe trauma.

33 (ii) The roles described in clause (i) shall include, but not be  
34 limited to, development of a process for case-specific intervention  
35 in circumstances in which a county needs state-level assistance to  
36 meet the service or placement needs of a severely traumatized  
37 child or youth in foster care. That assistance shall be prioritized  
38 to maintain the children and youth in their communities of origin  
39 and in home-based placements whenever possible.

1 (2) No later than January 1, 2020, the joint interagency  
2 resolution team, in consultation with county agencies, service  
3 providers, and advocates for children and resource families, shall  
4 review the placement and service options available to county child  
5 welfare agencies and county probation departments for children  
6 and youth in foster care who have experienced severe trauma and  
7 shall develop and submit recommendations to the Legislature  
8 addressing any identified gaps in placement types or availability,  
9 needed services to resource families, or other identified issues. A  
10 report submitted to the Legislature pursuant to this paragraph  
11 shall be submitted in compliance with Section 9795 of the  
12 Government Code.

13 (3) No later than June 1, 2020, the joint interagency resolution  
14 team, in consultation with county agencies, service providers,  
15 behavioral health professionals, schools of social work, and  
16 advocates for children and resource families, shall develop a  
17 multiyear plan for increasing the capacity and delivery of  
18 trauma-informed care to foster children and youth served by  
19 short-term residential therapeutic programs and other foster care  
20 and behavioral health providers.

21 SEC. 3. To the extent that this act has an overall effect of  
22 increasing the costs already borne by a local agency for programs  
23 or levels of service mandated by the 2011 Realignment Legislation  
24 within the meaning of Section 36 of Article XIII of the California  
25 Constitution, it shall apply to local agencies only to the extent that  
26 the state provides annual funding for the cost increase. Any new  
27 program or higher level of service provided by a local agency  
28 pursuant to this act above the level for which funding has been  
29 provided shall not require a subvention of funds by the state or  
30 otherwise be subject to Section 6 of Article XIII B of the California  
31 Constitution.

32 ~~SECTION 1. It is the intent of the Legislature to enact~~  
33 ~~legislation that would build upon the current Continuum of Care~~  
34 ~~Reform implementation effort through the following actions:~~

35 ~~(a) Develop a coordinated and trauma-informed system-of-care~~  
36 ~~approach at the state and local levels to better provide care for~~  
37 ~~foster youth served by multiple agencies, including, but not limited~~  
38 ~~to, behavioral health departments, probation departments, regional~~  
39 ~~centers, and offices of education.~~

1     ~~(b) Require county child welfare agencies, probation~~  
2     ~~departments, behavioral health departments, regional centers, and~~  
3     ~~offices of education to develop and implement local memoranda~~  
4     ~~of understanding to provide care management coordination for~~  
5     ~~child welfare-involved children, youth, and families who are served~~  
6     ~~by multiple agencies.~~

7     ~~(c) Require the Secretary of California Health and Human~~  
8     ~~Services and the Superintendent of Public Instruction to convene~~  
9     ~~representatives from the State Department of Social Services, the~~  
10    ~~State Department of Health Care Services, the State Department~~  
11    ~~of Developmental Services, and the State Department of Education~~  
12    ~~to establish a joint interagency resolution team to provide guidance~~  
13    ~~and support the implementation of the local memoranda of~~  
14    ~~understanding described in subdivision (b), and to provide technical~~  
15    ~~assistance to counties to identify and secure the appropriate level~~  
16    ~~of services to meet the needs of foster children.~~

17    ~~(d) Require the State Department of Social Services and the~~  
18    ~~State Department of Health Care Services to develop and submit~~  
19    ~~a joint plan to the Legislature, with input from stakeholders, to~~  
20    ~~improve the capacity and delivery of trauma-informed care to~~  
21    ~~foster youth served by short-term residential therapeutic programs~~  
22    ~~and other foster care providers.~~