

HCS HB 431 -- FOSTER CARE AND ADOPTION

SPONSOR: Franz

COMMITTEE ACTION: Voted "do pass" by the Committee on General Laws by a vote of 14 to 0.

This substitute creates the Foster Care and Adoptive Parents Recruitment and Retention Fund, changes the laws regarding foster care case management contracts and foster care placement and sibling placement, and establishes the Missouri State Foster Care and Adoption Board.

FOSTER CARE AND ADOPTIVE PARENTS RECRUITMENT AND RETENTION FUND

In each taxable year beginning on or after January 1, 2011, an individual or corporation that is entitled to a tax refund is authorized to make a designation of \$1 or more on a single return or \$2 or more on a combined return to the newly created Foster Care and Adoptive Parents Recruitment and Retention Fund. An individual or corporation that is not entitled to a tax refund can make a contribution to the fund by a separate check, draft, or other negotiable instrument.

FOSTER CARE CASE MANAGEMENT CONTRACTS

The Children's Division within the Department of Social Services must include in any foster care case management contract a provision that all recruitment, licensing, and retention activities for foster and adoptive parents in the areas of the state included in the contract must be provided exclusively by the contracted entity. The division is allowed to enter into additional family foster care case and adoptive resources in the areas of the state not already included in a contract.

FOSTER CARE PLACEMENT

The substitute establishes the following order of the preference for placement of a child in foster care: grandparents and relatives, a trusted adult who has a pre-existing relationship with the child, foster parents who share the same religious background as the child, and any foster parent who is currently licensed and capable of accepting placement of the child. Any person receiving a preference must be licensed in an expedited manner if a child is placed under the person's care.

SIBLING PLACEMENT

The division is required to make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or

adoptive placement unless doing so would be contrary to the safety or well-being of any of the siblings. If siblings are not placed together, the division must make reasonable efforts to provide frequent visitation or other ongoing interaction between siblings unless this interaction would be contrary to a sibling's safety or well-being.

MISSOURI STATE FOSTER CARE AND ADOPTION BOARD

The Missouri State Foster Care and Adoption Board is established to provide consultation and assistance to the department. The board must draft and provide an independent review of the policies and procedures of the division related to the provision of foster care and adoption in Missouri. The board must determine the nature and content of in-service training which must be provided to foster and adoptive parents in order to improve these services to children statewide. The additional duties of the board are specified.

The board must be comprised of foster and adoptive parents from each of the division's seven areas. Area members must be appointed by the Governor, with the advice and consent of the Senate, from recommendations by regional foster care and adoption boards or other similar entities. Statewide foster care and adoption association representatives must be voting members of the board. The board must annually provide the Director of the Department of Social Services; Governor; Office of the Child Advocate; and upon request, members of the General Assembly a written report of its activities.

The provisions regarding the Foster Care and Adoptive Parents Recruitment and Retention Fund will expire six years from the effective date.

FISCAL NOTE: Estimated Net Effect on General Revenue Fund of an income of \$0 to a cost of Unknown in FY 2012, FY 2013, and FY 2014. No impact on Other State Funds in FY 2012, FY 2013, and FY 2014.

PROPOSERS: Supporters say that the bill is needed to help foster parents who do a lot for the children in the state, especially with recruitment and retention activities. It is better for the stability and care of the children and less costly for the state for the children to be placed in foster homes.

Testifying for the bill were Representative Franz; Foster Parents Association of Missouri; Missouri Coalition of Children's Agencies; Raymond Kenison, Missouri Baptist Children's Home; Kelly Schultz; Partnership for Children; Family Resource Center; and Catholic Charities Archdiocese of St. Louis.

OPPONENTS: There was no opposition voiced to the committee.