



HOUSE BILL 1030: 2016 Appropriations Act, Sec. 12C.1: Child Welfare System Changes

2015-2016 General Assembly

Committee:		Date:	July 26, 2016
Introduced by:		Prepared by:	Jason Moran-Bates Staff Attorney
Analysis of:	Sec. 12C.1 of S.L. 2016-94		

OVERVIEW: *Sec. 12C.1 of S.L. 2016-94 directs the Department of Health and Human Services (DHHS), Division of Social Services to implement the requirements of the federal Program Improvement Plan (Plan) to bring North Carolina into compliance with national standards for child welfare policy and practices and to report on the implementation and outcomes of the Plan to the Joint Legislative Oversight Committee on Health and Human Services (HHS Oversight Committee), beginning on August 1, 2016, and semiannually thereafter until February 1, 2019. The Division of Social Services must develop a statewide strategic plan for child welfare services that complements the required federal Plan and addresses the findings of the North Carolina Statewide Child Protective Services Evaluation in the areas of county performance, caseload sizes, administrative structure, adequacy of funding, social worker turnover, and monitoring and oversight. The State plan must also address measures for ensuring Native American children are served in a culturally appropriate manner, including in placements for adoption and foster care. The Division must submit the plan to the HHS Oversight Committee by December 1, 2016, for consideration by the 2017 General Assembly.*

The Division must continue toward completion of the child welfare component of the North Carolina Families Accessing Services through Technology (NC FAST) system. It is the intent of the General Assembly that the child welfare component of the NC FAST system be operational by December 31, 2017. The Division must report on the development, implementation, and outcomes of the child welfare component of the NC FAST system to the HHS Oversight Committee quarterly beginning October 1, 2016, and ending with a final report on February 1, 2018. Each report must include the following:

- The current timeline for development and implementation of the child welfare component to NC FAST.*
- Any adjustments and justifications for adjustments to the timeline.*
- Progress on the development and implementation of the system.*
- Any identified issues in developing or implementing the child welfare component of NC FAST and solutions to address those issues.*
- The level of county participation and involvement in each phase of the project.*
- Any budget and expenditure reports, including overall project budget and expenditures, and current fiscal year budget and expenditures.*

This section also amends various laws governing the juvenile code (Chapter 7B of the General Statutes) as follows:

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- *The definition of "caretaker" is amended to include a potential adoptive parent during a visit or trial placement with a juvenile in the custody of DHHS.*
- *Adds any private child placing or adoption agency licensed by DHHS to the list of entities DHHS is required to disclose confidential information to in order to protect a juvenile from abuse or neglect.*
- *Removes caretakers as interested parties who may intervene in a proceeding on an abuse, neglect, or dependency action*
- *Clarifies the requirement that the director of the county department of social services must receive authorization from a juvenile's parent, guardian, or custodian to consent to care.*
- *Authorizes a court to order reunification if there is compelling evidence warranting continued reunification efforts.*
- *Authorizes a court to consider a juvenile's health, in addition to the juvenile's safety, when reviewing custody.*
- *Provides that concurrent planning must continue until a permanent plan has been achieved.*

This section became effective July 1, 2016.