



HOUSE BILL 683: Indian Child Welfare Agreement Form.

2017-2018 General Assembly

Committee:	House Health	Date:	April 25, 2017
Introduced by:	Rep. C. Graham	Prepared by:	Tawanda N. Foster
Analysis of:	PCS to First Edition H683-CSTV-5		Staff Attorney

OVERVIEW: *The PCS to House Bill 776 requires the Division of Social Services in the Department of Health and Human Services to develop a standard form to be used to establish agreements with state recognized Indian tribes on behalf of Indian children under their authority involved in matters of foster care, adoption assistance, and kinship guardianship assistance programs under Title IV-E of the Social Security Act.*

CURRENT LAW: G.S. 143B-139.5 requires the Department of Health and Human Services, Division of Social Services (DSS) to collaborate with the Commission of Indian Affairs on Indian Child Welfare issues.

BILL ANALYSIS: This PCS adds three subsections to the current law to require DSS to develop a standard form to be used to establish agreements with any state recognized Indian tribe who requests an agreement to provide specific actions to be taken on behalf of an Indian child under their authority involved in matters of foster care, adoption assistance, and kinship guardianship assistance programs under Title IV-E of the Social Security Act. The Division must also do the following:

- Incorporate similar provisions in the form as established for federally recognized tribes in the Indian Child Welfare Act (ICWA).
- Consult with representatives of state recognized tribes and related organizations or consortia that represent members of state recognized tribes in development of the standard form.
- Submit an interim report to the Joint Legislative Oversight Committee on Health and Human Services (Committee) no later than June 30, 2018 detailing any resources and actions needed, including legislation needed to effectively develop and implement the standard form.
- Submit a final report, including its standard form and any recommendations for legislation in accordance with subsection (b) of this section to the Committee by December 1, 2018.

EFFECTIVE DATE: The PCS would become effective when it becomes law.

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