



SENATE BILL 594: Family/Child Protection & Accountability Act.

2017-2018 General Assembly

Committee:	Senate Health Care. If favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate	Date:	April 18, 2017
Introduced by:	Sens. Barringer, Harrington, Tucker	Prepared by:	Tawanda N. Foster Staff Attorney
Analysis of:	First Edition		

OVERVIEW: *Senate Bill 594 does the following: 1) reforms the State child welfare system; 2) improves accountability and state oversight of the child welfare system; 3) requires the State to develop a plan for a regional system of social services departments; 4) establishes a child well-being transformation council to improve coordination, collaboration, and communication among child-serving agencies; 5) establishes a pilot program to help youth in substitute care obtain drivers licenses; 6) establishes a pilot program to authorize a waiver of the employment requirement for foster parents with children receiving intensive alternative family treatment; 7) reduces the time a parent has to appeal from a termination of parental rights order; and 8) reduces the time frame for foster care licensure approval.*

[As introduced, this bill was identical to H608, as introduced by Reps. Stevens, Lewis, Dollar, Jordan, which is currently in House Homelessness, Foster Care, and Dependency.]

BILL ANALYSIS:

PART I. REGIONAL SOCIAL SERVICES DEPARTMENTS; WORKING GROUP

Section 1.1 requires the Department of Health and Human Services (Department) to develop a plan to transition from a State-supervised, county-administered system to a State-supervised, regionally administered system by January 1, 2022.

- A preliminary plan must be submitted to the Joint Legislative Oversight Committee on Health and Human Services by January 15, 2019. A final plan must be submitted to this same committee by March 31, 2019.

Section 1.2 establishes a Social Services Regionalization Working Group (Working Group) to make recommendations to the Department regarding the preliminary plan for regionalization.

- The Working Group must submit an interim report to the Joint Legislative Oversight Committee on Health and Human Services by June 30, 2018. A final report must be submitted to this same committee by December 1, 2018.
- The UNC School of Government shall assist the working group.

Section 1.3 appropriates \$48,400 from the General Fund to the School of Government for the 2017-2018 fiscal year and appropriates \$25,700 for the 2018-2019 fiscal year for its role in assisting in the development of the regionalization plan.

Karen Cochran-Brown
Director



Legislative Analysis
Division
919-733-2578

Senate Bill 594

Page 2

Section 1.4 appropriates \$38,039 from the General Fund to the Department for the 2017-2018 fiscal year and appropriates \$16,303 for the 2018-2019 fiscal year for reimbursement costs associated with the duties of the Working Group.

Section 1.5 provides Sections 1.3 and 1.4 become effective July 1, 2017.

PART II. REFORMING STATE SUPERVISION AND ACCOUNTABILITY OF THE STATE'S CHILD WELFARE SYSTEM

Section 2.1 directs the Office of State Budget Management in consultation with the Department of Health and Human Services to develop and issue a request for proposal (RFP) by January 15, 2018 to contract with a third-party organization to evaluate the State's child welfare system, develop a plan for reforming the system, and provide ongoing evaluation and oversight of the implementation of the child welfare system reform.

- The third-party organization shall submit its preliminary report to the Joint Legislative Oversight Committee on Health and Human Services no later than 180 days after the contract is finalized. The organization must also submit bimonthly reports to the Committee beginning no later than September 15, 2019.
- The Department of Health and Human Services shall submit a report to the Joint Legislative Oversight Committee on Health and Human Services no later than September 15, 2019 describing the progress made on implementation to date, implementation plans and time lines for the subsequent 24 months, and a summary of significant challenges encountered during implementation.

Section 2.2.(a) appropriates \$3,100,000 in non-recurring funds from the General Fund to the Department of Health and Human Services, Division of Social Services for the 2018-2019 fiscal year to implement the child welfare system reform.

Section 2.2.(b) provides Section 2.2 becomes effective July 1, 2017.

PART III. LOCAL DSS; CORRECTIVE ACTION

Section 3.1 amends G.S. 108A-74 to require local departments to meet required standards in child welfare or they will be subject to corrective action.

- The Secretary will develop a standard set of performance and outcome metrics for child welfare services. Departments of social services shall satisfy mandated performance requirements that are based on those metrics.
- If a department fails to meet the performance requirements for three consecutive months or five months within a consecutive 12-month period, the department shall enter into a joint corrective action plan within 60 working days. The joint corrective action plan may not exceed 18 months.
- If a department fails to successfully complete a corrective action plan the Secretary may temporarily assume all or part of the department's child welfare program administration.
- Also, this section revises definitions to remove the term "county" and add a definition for "child welfare program."

Senate Bill 594

Page 3

Section 3.2 provides Section 3.1 becomes effective six months after all 100 counties in the State have implemented the child welfare component to the North Carolina Families Accessing Services through Technology (NC FAST) system.

PART IV. CHILD WELL BEING TRANSFORMATION COUNCIL

Section 4.1 adds a new Article to Chapter 143 of the General Statutes to establish the Child Well-Being Transformation Council (Council) to serve as a means for coordination, collaboration, and communication among agencies and organizations involved in providing public services to children.

- The Council will be located administratively in the General Assembly and will consist of 13 members serving staggered terms. The initial Council members shall be appointed on or after July 1, 2018, as follows:
 - Three members shall be appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate.
 - Three members shall be appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives.
 - Seven members shall be appointed by the Governor.
- The Council must submit a report to the chairs of the Senate Appropriations Committee on Health and Human Services, the chairs of the House of Representatives Appropriations Committee on Health and Human Services, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division by June 30 of each year.
- The Council is allowed to accept gifts or grants from other sources to support its administration.

Section 4.2.(a) appropriates \$12,692 in non-recurring funds from the General Fund to the Legislative Services Commission for the 2018-2019 fiscal year for the purposes of assisting in establishing the Council.

Section 4.2.(b) provides Section 4.2 becomes effective July 1, 2017.

PART V. DRIVERS LICENSE PILOT PROJECT

Section 5.1 requires the Department of Health and Human Services, Division of Social Services to establish a two year pilot program that shall reimburse, on a first come, first served basis, youth and caregivers' costs associated with drivers license education, drivers license fees, insurance costs, and any other costs associated with obtaining a drivers license.

- The Division of Social Services shall report on the pilot project to the Joint Legislative Oversight Committee on Health and Human Services by March 1, 2018.

Section 5.2.(a) appropriates \$75,000 for the 2017-2018 fiscal year and \$75,000 for the 2018-2019 fiscal year to conduct the pilot project.

Section 5.2.(b) provides Section 5.2 becomes effective July 1, 2017.

Senate Bill 594

Page 4

PART VI. PILOT WAIVER FOR IAFT FOSTER PARENTS

Section 6 requires the Department of Health and Human Services, Division of Social Services (Division) to establish a pilot program that will allow the Division to waive the employment requirement for foster parents.

- LME/MCOs participating in the IAFT pilot waiver program must provide a report on the outcomes of the pilots, along with any recommendations, to the Division. The Division will then submit a report on the pilot waiver program to the Joint Legislative Oversight Committee on Health and Human Services by December 1, 2018.

PART VII. TERMINATION OF PARENTAL RIGHTS/TIME FRAME FOR APPEALS

Section 7 amends G.S. 7B-1001(a)(5)b to reduce the time from 180 days to 65 days for parents to appeal a termination of parental rights order.

PART VIII. TIME FRAME FOR LICENSURE APPROVAL/FOSTER CARE

Section 8 amends G.S. 131D-10.3 to require the Department to grant or deny a license to provide foster care or therapeutic foster care within three months of the date of the application.

- Also directs the Department to further examine the existing time frames for processing foster care and therapeutic foster care applications and determine methods to further reduce the time frames for approving or denying applications for licensure.

EFFECTIVE DATE: Sections 1.3, 1.4, 2.2, 4.2 and 5.2 would become effective July 1, 2017. Section 3.1 would become effective six months after all 100 counties in the State have implemented the child welfare component to the North Carolina Families Accessing Services through Technology (NC FAST) system. Except as otherwise provided, this bill would become effective when it becomes law.