



HOUSE BILL 769: Foster Parents' Bill of Rights.

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2021-2022 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	Date:	August 24, 2021
Introduced by:	Reps. Willis, Stevens, Paré, Winslow	Prepared by:	Kristen L. Harris*
Analysis of:	Third Edition		Committee Co-Counsel

OVERVIEW: House Bill 769 would create a Bill of Rights recognizing the rights of foster parents.

CURRENT LAW AND BACKGROUND: In 2013 through S.L. 2013-326, North Carolina enacted a Foster Care Children's Bill of Rights. According to the National Conference of State Legislatures, at the beginning of 2020, 15 states had enacted a Foster Care Children's Bill of Rights, and 17 states had enacted a Foster Parent's Bill of Rights.

BILL ANALYSIS: House Bill 769 would create a Foster Parent's Bill of Rights by recognizing the following rights of foster parents:

- To serve as a respected member of the child welfare team.
- To receive specified information about the responsibilities of foster parents and access to support services.
- To be notified of any expenses eligible for reimbursement and to have timely allocation of resources.
- To receive notice of hearings and to be heard in court for review and permanency planning hearings.
- To receive timely information pertinent to the day-to-day care of the child.
- To provide input in court and during periodic reviews of any information that may be relevant to the child's best interests.
- To provide input to and seek support from the supervising agency without fear of reprisal.
- To have reasonable opportunities for consultation and consideration in the scheduling of meetings related to the child the foster parent is allowed or required to attend.
- To request a change in licensed workers and to be considered as prospective adoptive parents.
- To utilize the reasonable and prudent parent standard in determining whether a foster parent can allow a child to participate in extracurricular activities.
- To request a shared parenting agreement and that contact information be kept confidential when safety concerns are present.

A violation of the Bill of Rights would not create a cause of action against any State agency or an entity providing foster case. Nothing in the Bill of Rights would override existing law or rule.

EFFECTIVE DATE: This act would be effective when it becomes law.

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