



HOUSE BILL 769: Foster Parents' Bill of Rights.

2021-2022 General Assembly

Committee:		Date:	February 2, 2022
Introduced by:		Prepared by:	Kristen L. Harris Staff Attorney
Analysis of:	S.L. 2021-144		

OVERVIEW: *S.L. 2021-144 creates a Bill of Rights recognizing the rights of foster parents.*

This act became effective on September 10, 2021.

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 Parents' Bill of Rights.

BILL ANALYSIS: S.L. 2021-144 creates a Foster Parents' 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 can 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 must not be construed to create a cause of action against any State agency or an entity providing foster care. Nothing in the Bill of Rights overrides existing law or administrative rule.

EFFECTIVE DATE: This act became effective September 10, 2021.

Jeffrey Hudson
Director



Legislative Analysis
Division
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