



# HOUSE BILL 860: Protect Our Youth in Foster Care.

2023-2024 General Assembly

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<b>Committee:</b>	House Health. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	May 16, 2023
<b>Introduced by:</b>	Reps. K. Baker, White, Saine, Loftis	<b>Prepared by:</b>	Jason Moran-Bates
<b>Analysis of:</b>	First Edition		Committee Staff

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**OVERVIEW:** *House Bill 860 would direct the Department of Health and Human Services (DHHS) to create a trauma-informed, standardized assessment for children in foster care and establish requirements for that assessment. It would also develop "in-lieu-of" services to address gaps in the care of foster children receiving Medicaid services. Finally, it would appropriate funds to pay for both the assessment and the "in-lieu-of" services.*

**BILL ANALYSIS:** Part I of the bill would direct DHHS to create a trauma-informed, standardized assessment for children in foster care or who are at risk of entering into foster care and who have experienced trauma necessitating an intervention by the Division of Social Services (DSS).

The partnership developing the assessment will consist of:

- Representatives from the Division of Social Services, Division of Health Benefits, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, and the Division of Family and Child Well-Being.
- Prepaid health plans and primary care case management entities.
- County departments of social services.
- Benchmarks, a non-profit corporation.
- Individuals with lived experiences.
- Others as determined necessary by the partnership.

The assessment template must be initially drafted by December 31, 2023, and the final version must be complete by June 30, 2024. The rollout of the assessment must include:

- Standardized, statewide training.
- A statewide implementation by June 30, 2025.
- The establishment of a base rate for the assessment,
- Standardized workflow to the payers and child welfare agencies.
- The identification of metrics to measure the success of the project.

The standardized assessment must ensure the following:

- Children between 4 and 17 are assessed within 10 days of being referred.

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- Each child on Medicaid is assessed.
- The ability to be done face-to-face or via telehealth.
- County social service departments make referrals within 5 days of a determination of abuse or neglect.
- Individuals between 18 and 21 can be assessed if necessary.
- The standardized assessment template is evidence-based.
- Medicaid assigned care managers must be notified of any referrals.

DHHS must also leverage experience from the entities in the partnership that develops the assessment, complete any required documentation, leverage all available federal funds, amend existing contracts if necessary, and create a DSS statewide dashboard.

Part II of the bill would direct the Division of Health Benefits (DHB) to implement "in-lieu-of" services under the Medicaid State Plan to address any gaps in the care of children receiving foster care services. The plan must:

- Identify practices that support a foster child returning to their family in a timely manner.
- Identify model short-term residential treatment options that serve children with high acuity needs that divert a child from higher level placements.

DHB must issue a request for proposals (RFP) to fill gaps in care that are identified by the plan. The request must include:

- The development of newly identified Medicaid services for foster children.
- Expansion of a Medicaid service that is not located in the particular county or region.
- Time lines for, and establishment of, first- and second-year deliverables for any service that may be a phased-in service.
- Identification of required funding.
- Specific outcome measures with the attestation of the timely submission of the data to the responsible prepaid health plan and DHB.

Contracts based on the RFP must be awarded within six months of the RFP due date.

Part III of the bill would appropriate \$750,000 in nonrecurring funds for each year of the 2023-25 fiscal biennium to fund the assessment. It would also appropriate \$20 million in recurring funds for each year of the 2023-25 fiscal biennium to fund the "in-lieu-of" plan. These funds will provide a state match to federal funding.

**EFFECTIVE DATE:** The appropriations would become effective July 1, 2023. The remainder of the bill would be effective when it becomes law.