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**AB-2830 Foster care: relative placement: approval process.** (2023-2024)

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**Assembly Bill No. 2830**

**CHAPTER 417**

An act to add Section 16519.3 to, and to add and repeal Section 16519.4 of, the Welfare and Institutions Code, relating to foster care.

[ Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2830, Robert Rivas. Foster care: relative placement: approval process.

Existing law generally provides for the placement of foster youth in various placement settings. Existing law requires the State Department of Social Services to implement a unified, family friendly, and child-centered resource family approval process to replace the multiple processes for licensing foster family homes, certifying foster homes by licensed foster family agencies, approving relatives and nonrelative extended family members as foster care providers, and approving guardians and adoptive families.

This bill would require the department, notwithstanding any other law and on or before January 1, 2027, to adopt a simplified approval process for relative caregivers, as specified. The bill would condition implementation of the simplified approval process upon federal financial participation and approval, as specified. The bill would authorize the department to convene with tribes and communicate with other interested individuals and organizations to develop a simplified process for relative caregivers that achieve the goals of safety, permanency, and well-being for children in out-of-home care.

This bill would require the department on or before September 30, 2026, to report to the Legislature for consideration the additional statutory changes required to fully implement separate resource family approval standards for relative caregivers. The bill would require the department, to the extent that the requested data can be tracked in the statewide child welfare information system, to track specified information on the approval process, including, among other information, (1) whether the placement of children or youth with relatives has increased, decreased, or remained the same over time, after January 1, 2023, and (2) existing barriers, if any, that affect implementation of the simplified approval process. The bill would require the department to report this information to the Legislature no later than 18 months after implementation of the simplified approval process. The bill would make these reporting and tracking provisions inoperative on June 30, 2030, and would repeal them as of January 1, 2031.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** (a) The Legislature finds and declares all of the following:

(1) It is the goal of the child welfare system to maintain cultural and familial bonds whenever possible.

(2) The current child welfare system struggles to meet the needs of children and youth entering into and being served within the system, and expanding the number of relatives caring for children and youth is one way to ensure adequate resources to meet their needs.

(3) Children and youth in the child welfare system who are placed with relatives and extended family members generally experience better outcomes than children and youth who are placed with nonrelatives.

(4) Relative caregivers experience unique needs and circumstances, including the challenges that stem from emergency placements and the associated financial impacts of providing for a child with little to no preparation.

(5) The length of time required for a prospective caregiver to receive resource family approval can vary based on a number of factors.

(6) Relatives often serve as caregivers in the child welfare system for their family members and typically do not intend to receive placements of youth to whom they are not related.

(7) In recognition of these factors, the federal Administration on Children, Youth and Families amended Section 1355.20 of Title 45 of the Code of Federal Regulations, effective November 27, 2023, revising the definition of foster family homes to permit claiming of Title IV-E federal financial participation when the agency uses different licensing or approval standards for relative or kinship foster family homes and all nonrelative foster family homes.

(b) It is the intent of the Legislature to adopt a simplified approval process for relative caregivers that achieves the goals of safety, permanency, and well-being for children in out-of-home care.

**SEC. 2.** Section 16519.3 is added to the Welfare and Institutions Code, to read:

**16519.3.** (a) Notwithstanding any other law and no later than January 1, 2027, the department shall adopt a simplified approval process for relative caregivers consistent with the definition of foster family homes for the purposes of Title IV-E eligibility in Section 1355.20 of Title 45 of the Code of Federal Regulations. The simplified approval process for relative and kinship caregivers shall be implemented only if and to the extent that federal financial participation is available and after necessary federal approval of state plan amendments has been obtained.

(b) The department may convene government-to-government consultation with tribes and communicate with other interested individuals and organizations to develop a simplified approval process for relative and kinship caregivers that achieves the goals of safety, permanency, and well-being for children in out-of-home care. The communication may include seeking feedback from relative and kinship caregivers, foster youth, county child welfare and probation agencies, foster family agencies, tribes, tribal organizations, tribal consortia, and other interested community partners.

(c) (1) For purposes of this section, "relative" has the same meaning as defined in subdivision (m) of Section 11400, or an extended family member of an Indian child, as defined in subdivision (c) of Section 224.1.

(2) The department shall consider using a broader definition of "relative" that includes nonrelative extended family members, as defined in subdivision (n) of Section 11400.

**SEC. 3.** Section 16519.4 is added to the Welfare and Institutions Code, to read:

**16519.4.** (a) Upon implementation of a simplified approval process adopted pursuant to Section 16519.3, and no later than 18 months after implementation, the department shall track and report to the Legislature all of the following to the extent that the requested data can be tracked in the statewide child welfare information system:

(1) The average length of time required for an applicant who had placement prior to approval to receive resource family approval, and whether the average length of time has increased, decreased, or remained the same over time, after January 1, 2023.

(2) Whether the placement of children or youth with relatives has increased, decreased, or remained the same over time, after January 1, 2023.

(3) What, if any, barriers exist that affect implementation of the simplified approval process described in Section 16519.3.

(b) On or before September 30, 2026, the department shall report to the Legislature for consideration the additional statutory changes required to fully implement separate resource family approval standards for relative caregivers.

(c) (1) The report to be submitted pursuant to subdivision (a) and the report to be submitted pursuant to subdivision (b) shall be submitted in compliance with Section 9795 of the Government Code.

(2) Pursuant to Section 10231.5 of the Government Code, this section shall become inoperative on June 30, 2030, and, as of January 1, 2031, is repealed.