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AB-319 Foster youth: trauma-informed services. (2025-2026)

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Date Published: 03/19/2025 09:00 PM

AMENDED IN ASSEMBLY MARCH 19, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 319

Introduced by Assembly Member Jackson

January 24, 2025

An act to amend Section 16521.6 of the Welfare and Institutions Code, relating to foster youth.

LEGISLATIVE COUNSEL'S DIGEST

AB 319, as amended, Jackson. Foster youth: ~~trauma-informed, therapeutic continuum of care-~~ *trauma-informed services.*

Existing law requires each county to develop and implement a memorandum of understanding (MOU) setting forth the roles and responsibilities of agencies and other entities that serve children and youth in foster care who have experienced severe trauma. Existing law requires ~~the Secretary~~ *that the MOU include provisions addressing, among other things, the establishment and operation of an interagency leadership team.*

Existing law requires the Secretary of California Health and Human Services and the Superintendent of Public Instruction to establish a joint interagency resolution team consisting of representatives from specified state departments to support implementation of those MOUs, among other functions.

Existing law requires the *resolution* team to develop and submit certain recommendations to the Legislature on various items, including a statewide plan for any additional development needed for a trauma-informed, therapeutic continuum of care to support youth in-state in the least restrictive setting. Existing law requires the team to track and report deidentified information of children and nonminor dependents in foster care who have been assisted to preserve, or secure new, intensive therapeutic options.

This bill would require a ~~county to develop and submit plans to the State Department of Social Services describing the development needed for a trauma-informed, therapeutic continuum of care to support youth in-state in the least restrictive setting-~~ *county, in collaboration with the leadership team, inclusive of tribes, to submit plans to the resolution team describing how the county intends to ensure that coordinated, timely, and trauma-informed services are provided to children and youth in foster care who have experienced severe trauma.* The bill would require the county to submit the first plan by January 1, 2027, and to submit updated plans every 2 years thereafter.

The bill would require the county to take into consideration ~~the above described recommendations of the joint interagency resolution team on the statewide plan, as specified. The bill would also require the county to outline in its plans how the county will work to increase the number of available slots in short-term residential therapeutic programs within the county.~~ *certain information regarding the placement and service options available to county child welfare agencies and county probation departments for children and youth in foster care who have experienced severe trauma, as specified.*

By creating new duties for counties relating to those plans, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

SECTION 1. Section 16521.6 of the Welfare and Institutions Code is amended to read:

16521.6. To ensure that coordinated, timely, and trauma-informed services are provided to children and youth in foster care who have experienced severe trauma, all of the following shall occur:

(a) (1) Each county shall develop and implement a memorandum of understanding setting forth the roles and responsibilities of agencies and other entities that serve children and youth in foster care who have experienced severe trauma. Participants in the development and implementation of the memorandum of understanding shall include, but not be limited to, all of the following:

- (A) The county child welfare agency.
- (B) The county probation department.
- (C) The county behavioral health departments.
- (D) The county office of education.
- (E) The regional center or centers that serve children and youth with developmental disabilities in the county.
- (F) Foster care or other child welfare advocacy groups, as deemed appropriate by the organizations that will be parties to the memorandum, serving in an advisory capacity.

(2) The memorandum of understanding shall include, at a minimum, provisions addressing all of the following:

- (A) Establishment and operation of an interagency leadership team.
- (B) Establishment and operation of an interagency placement committee, as defined in Section 4096.
- (C) Commitment to implementation of an integrated core practice model.
- (D) Processes for screening, assessment, and entry to care.
- (E) Processes for child and family teaming and universal service planning.
- (F) Alignment and coordination of transportation and other foster youth services.
- (G) Recruitment and management of resource families and delivery of therapeutic foster care services.
- (H) Information and data sharing agreements.
- (I) Staff recruitment, training, and coaching.
- (J) Financial resource management and cost sharing.
- (K) Dispute resolution.
- (L) Processes, as developed through tribal consultation with the federally recognized tribes within each county, for engaging and coordinating with these tribes in the ongoing implementation of the memorandums of understanding described in this section.

(3) (A) No later than October 1, 2021, members of the interagency leadership team, or its designees, shall establish a process to provide, arrange for, or ensure the provision of, at least six months of family-based aftercare service to children and youth, as described in Section 4096.6, and acknowledgment that federal financial participation under the Medi-Cal program is only available if all state and federal requirements are met and the service is medically necessary.

(B) Members of the interagency leadership team described in subparagraph (A) of paragraph (2), or its designees, may, to the extent permitted by federal law, and subject to the limitations described in subparagraph (C), disclose to, and exchange with, one another information or a writing that may be designated as confidential under state law if the member of the team having that information or writing reasonably believes it is generally relevant to the identification, reduction, or elimination of barriers to services for, or to placement of, children and youth in foster care or to improve provision of those services or those placements.

(C) Members of the interagency leadership team, or its designees, who receive disclosed or exchanged information or a writing pursuant to subparagraph (B) shall destroy or return that information or writing once the purposes for which it was disclosed or exchanged are satisfied. The information or writing shall be used only for the purposes described in subparagraph (B). Any information or writing disclosed or exchanged pursuant to subparagraph (B) shall be confidential and shall not be open to public inspection, unless the information or writing is aggregated and deidentified in a manner that prevents the identification of an individual who is a subject of that information or writing. Any discussion concerning the disclosed or exchanged information or writing during a team meeting shall be confidential and shall not be open to public inspection.

(D) Members of an interagency placement committee, as defined in Section 4096, child abuse multidisciplinary personnel team, as defined in Section 18961.7, or child and family team, as defined in paragraph (4) of subdivision (a) of Section 16501, that is convened for the purpose of implementing the provisions of the memorandum of understanding developed pursuant to this subdivision shall comply with applicable statutory confidentiality provisions for that committee or team. Members of teams convened for purposes of implementing the memorandum of understanding shall comply with applicable records retention policies for their respective agencies or programs.

(4) To the extent possible, the implementation of the memorandum of understanding shall utilize existing processes and structures within and across the respective organizations that are parties to it.

(b) (1) (A) No later than June 1, 2019, the Secretary of California Health and Human Services and the Superintendent of Public Instruction shall establish a joint interagency resolution team consisting of representatives from the State Department of Social Services, the State Department of Health Care Services, the State Department of Developmental Services, and the State Department of Education.

(B) (i) The primary roles of the joint interagency resolution team shall be to develop guidance to counties, county offices of education, and regional centers with regard to developing the memoranda of understanding required by this section, to support the implementation of those memoranda of understanding, and to provide technical assistance to counties to identify and secure the appropriate level of services to meet the needs of children and youth in foster care who have experienced severe trauma.

(ii) The agencies shall ensure that a process is developed for counties and partner agencies that are parties to the memorandum of understanding to request interdepartmental technical assistance from the joint interagency resolution team.

(2) (A) No later than January 1, 2020, the joint interagency resolution team, in consultation with county agencies, service providers, and advocates for children and resource families, shall review the placement and service options available to county child welfare agencies and county probation departments for children and youth in foster care who have experienced severe trauma and shall develop and submit recommendations to the Legislature addressing any identified gaps in placement types or availability, needed services to resource families, or other identified issues. The joint interagency resolution team shall update its review and provide recommendations to the Legislature no later than December 31, 2022, that take into account the specific needs and characteristics of youth with unplanned discharges from short-term residential therapeutic programs and youth for whom counties were unable to, or have difficulty with, securing placements and providing trauma-informed services, which may include, but is not limited to, as applicable, youth impacted by commercial sexual exploitation, youth with acute behavioral needs, and youth with intellectual or developmental disabilities. The recommendations shall also articulate a statewide plan for any additional development needed for a trauma-informed, therapeutic continuum of care to support youth in-state in the least restrictive setting.

(B) A report submitted to the Legislature pursuant to this paragraph shall be submitted in compliance with Section 9795 of the Government Code.

(3) No later than June 1, 2020, the joint interagency resolution team, in consultation with county agencies, service providers, behavioral health professionals, schools of social work, and advocates for children and resource families, shall develop a multiyear plan for increasing the capacity and delivery of trauma-informed care to children and youth in foster care served by short-term residential therapeutic programs and other foster care and behavioral health providers.

(4) (A) Members of the joint interagency resolution team described in this subdivision may, to the extent permitted by federal law, and subject to the limitations described in subparagraph (B), disclose to, and exchange with, one another information or a writing that may be designated as confidential under state law if the member of the team or committee having that information or writing reasonably believes it is generally relevant to the identification, reduction, or elimination of barriers to services for, or to placement of, children and youth in foster care or to improve provision of those services or those placements.

(B) Members of the joint interagency resolution team who receive disclosed or exchanged information, or a writing, pursuant to subparagraph (A), shall destroy or return that information or writing once the purposes for which it was disclosed or exchanged are satisfied. The information or writing shall be used only for the purposes described in subparagraph (A). Any information or writing disclosed or exchanged pursuant to subparagraph (A) shall be confidential and shall not be open to public inspection, unless the information or writing is aggregated and deidentified in a manner that prevents the identification of an individual who is a subject of that information or writing. Any discussion concerning the disclosed or exchanged information or writing during a team meeting shall be confidential and shall not be open to public inspection.

(5) The joint interagency resolution team shall track and report deidentified information of children and nonminor dependents in foster care who have been assisted to preserve, or secure new, intensive therapeutic options. This information shall be posted on the internet website of the California Health and Human Services Agency beginning July 1, 2022, shall be updated annually, and shall include the number of children and nonminor dependents served through its technical assistance process, characteristics of individuals served, and, as applicable, local and statewide systemic issues identified by the team.

~~(c)(1) A county shall develop and submit plans to the State Department of Social Services describing the development needed for a trauma-informed, therapeutic continuum of care to support youth in state in the least restrictive setting.~~

(c) (1) A county, in collaboration with the interagency leadership team, inclusive of tribes, shall submit plans to the joint interagency resolution team describing how the county intends to ensure that coordinated, timely, and trauma-informed services are provided to children and youth in foster care who have experienced severe trauma.

(2) The county shall submit the first plan described in paragraph (1) by January 1, 2027, and shall submit updated plans every two years thereafter.

(3) In developing the plans described in this subdivision, the county shall take into consideration the information described in ~~subdivision (b); subparagraph (A) of paragraph (2) of subdivision (b) regarding the placement and service options available to county child welfare agencies and county probation departments for children and youth in foster care who have experienced severe trauma,~~ including, but not limited to, the recommendations of the joint interagency resolution team on the statewide plan for any additional development needed for a trauma-informed, therapeutic continuum of care, ~~as described in subparagraph (A) of paragraph (2) and local and statewide systemic issues identified by the joint interagency resolution team, as described in paragraph (5) of subdivision (b).~~ The county shall describe in its plans how that statewide plan would apply to the local circumstances of that county.

~~(4) The county shall also outline in its plans under this subdivision how the county will work to increase the number of available slots in short-term residential therapeutic programs within the county.~~

SEC. 2. To the extent that this act has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment Legislation within the meaning of Section 36 of Article XIII of the California Constitution, it shall apply to local agencies only to the extent that the state provides annual funding for the cost increase. Any new program or higher level of service provided by a local agency pursuant to this act above the level for which funding has been provided shall not require a subvention of funds by the state or otherwise be subject to Section 6 of Article XIII B of the California Constitution.