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SB-119 Public social services trailer bill. (2025-2026)

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Senate Bill No. 119

CHAPTER 79

An act to amend Section 11165.7 of the Penal Code, to amend Sections 706.5, 10544, 11323.2, 11325.15, 11325.2, 11327.4, 11327.5, 11461, 15771, 16501, 16504, 16523.1, 16560, 16562, 16587, 18901.58, and 18999.4 of, to amend, repeal, and add Sections 11320.1, 11322.6, 11325.22, 11325.4 of, to add Sections 11327.41, 16544.5, and 18950.1 to, to repeal Sections 11325.6 and 11326 of, and to repeal and add Sections 358.2 and 366.2 of, the Welfare and Institutions Code, and to amend Section 57 of Chapter 86 of the Statutes of 2021, relating to public social services, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor July 29, 2025. Filed with Secretary of State July 29, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

SB 119, Committee on Budget and Fiscal Review. Public social services trailer bill.

(1) Existing law, the Child Abuse and Neglect Reporting Act, establishes procedures for the reporting and investigation of suspected child abuse or neglect. The act requires certain professionals, including specified health practitioners and social workers, known as “mandated reporters,” to report known or reasonably suspected child abuse or neglect to a local law enforcement agency or a county welfare or probation department, as specified.

This bill would exclude from the definition of “mandated reporter” a licensee, administrator, or employee of a community care facility that exclusively serves adults and seniors. The bill would require the State Department of Social Services, through the State Office of Child Abuse Prevention, to, by no later than July 1, 2027, develop, with participation from specified individuals, including, among others, county child welfare agencies, a standardized curriculum for mandated reporters, and to make that training available on an internet website. The bill would, except as provided, require an employer having one or more mandated reporters to encourage completion of the training by their mandated reporters within the first 3 months of the mandated reporter’s employment, or on or before March 1, 2030, whichever is later. By imposing additional duties on counties, this bill would impose a state-mandated local program.

Existing law establishes the California Child Welfare Council to serve as an advisory board responsible for improving the collaboration and processes of the multiple agencies and the courts that serve the children and youth in the child welfare and foster care systems. Existing law requires the council to monitor and report the extent to which child welfare and foster care programs and the courts are responsive to the needs of children in their joint care.

This bill would require the California Child Welfare Council to establish a Mandated Reporting Advisory Committee, with specified membership, including, among others, representatives from county agencies, and would state the intent of the Legislature that the committee ensure the transformation of mandated reporting to community supporting continues and disparities in the child welfare system are eliminated. By imposing additional duties on counties, this bill would impose a state-mandated local program.

The federal Family First Prevention Services Act provides a state with the option to use certain federal funds to provide mental health and substance abuse prevention and treatment services and in-home parent skill-based programs to a child who is a candidate for foster care or a child in foster care who is a pregnant or parenting foster youth, as specified. Existing state law authorizes a county to elect to provide those prevention services by providing a written plan to the State Department of Social Services, which has oversight of the Family First Prevention Services program. Existing law requires the county to consult with other relevant county agencies, as specified, in the development of the plan.

The bill would require each county's written plan to include the county's plans to provide information for mandated reporters regarding resources available to support families in their communities, as specified.

(2) Existing federal law establishes the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing law requires the State Department of Social Services to, on or before July 1, 2025, develop a methodology for estimating the CalFresh participation rate and identifying characteristics of Californians who are eligible for, but not receiving, CalFresh benefits, and to utilize that data to develop informed and targeted outreach strategies.

This bill would delay the deadline by which the department is required to develop that methodology to July 1, 2026, and would also require the department to, on or before July 1, 2027, develop a strategic plan for how the department's methodology and outreach strategies may be implemented and executed to maximize benefits to those eligible for CalFresh benefits.

(3) Existing law establishes the Home Safe Program, the Bringing Families Home Program, and the Housing and Disability Income Advocacy Program, administered by the State Department of Social Services, to provide certain homelessness- or housing-related assistance or supports to eligible individuals through grant awards to counties or tribes. Under existing law, grantees under the Home Safe Program and the Bringing Families Home Program are required to match the funding on a dollar-for-dollar basis but are exempt from that requirement during specified multiyear periods.

This bill would indefinitely extend the exemption from dollar matching for grantees under the Home Safe Program and the Bringing Families Home Program.

Existing law requires a grantee under the Housing and Disability Income Advocacy Program to seek reimbursement of funds, as specified, and to expend funds received as reimbursement for housing assistance only on additional housing assistance for clients receiving services under the program. Existing law waives the requirement to seek reimbursement of funds through June 30, 2026.

This bill would indefinitely extend the waiver for a program grantee to seek reimbursement, as specified.

(4) Existing law establishes the jurisdiction of the juvenile court, which may adjudge a child to be a dependent of the court under certain circumstances, including when the child suffered, or there is a substantial risk that the child will suffer, serious physical harm, or a parent fails to provide the child with adequate food, clothing, shelter, or medical treatment. Existing law establishes the grounds for removal of a dependent child from the custody of the child's parents or guardian and establishes procedures to determine placement of a dependent child. Existing law prescribes various hearings, including specified review hearings, and other procedures for these purposes. Existing law requires a child and family team, as defined, to perform specified child and family determination functions. Existing law defines a child and family team meeting as a convening of all or some members of the child and family team and requires a child and family team meeting to conform to specified requirements, including, among others, that a notification be provided to the child or youth, their parent or guardian, and the caregiver upon the scheduling of a meeting, and that the child's court-appointed educational rights holder be invited to the meeting under certain circumstances.

This bill would require the placing agency to document the occurrence and summary of the child and family team meeting on a specified form developed by the State Department of Social Services with any necessary redactions, and would require that a copy of each child and family team action plan completed on or after January 1, 2026, and not previously provided to the court, be attached to the above-described court report. By requiring additional duties of the placing agency, this bill would impose a state-mandated local program.

(5) Existing law establishes a Tiered Rate Structure, as specified, upon which the per child per month rate for every child in foster care would be based. The Tiered Rate Structure is based on the use of the Integrated Practice-Child and Adolescent Needs and Strengths (IP-CANS) assessment tool, as defined. The Tiered Rate Structure includes 3 components, including an amount paid to the foster care provider for care and supervision of the child, as defined, a strengths building allocation to provide for a child's strengths building objectives, as identified by the IP-CANS, and an immediate needs allocation to provide for the child's immediate needs, and would establish 3 payment tiers, as specified. Existing law prescribes various duties of county placing agencies relating to the implementation of the Tiered Rate Structure, including, but not limited to, ensuring completion of IP-CANS assessments for every child and nonminor dependent placed in foster care under the care, custody, and control of the placing agency.

Existing law requires the 3 components of the Tiered Rate Structure to become operative on July 1, 2027, or the date that the State Department of Social Services notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement the Tiered Rate Structure, whichever is later.

This bill would instead require all placing agencies, beginning January 1, 2026, to ensure completion of the IP-CANS assessments for every child and nonminor dependent placed in foster care under the care and supervision of the placing agency in accordance with standards and guidelines developed by the State Department of Social Services. The bill would require the IP-CANS assessment to be informed by members of the child and family team, as specified. The bill would require the placing agency to ensure completion of the IP-CANS assessment and entry into the statewide child welfare information system for each child or nonminor dependent within 60 days of their entry or reentry into foster care or within 30 days in the case of an Indian child. The bill would require the placing agency to ensure completion of a new or updated IP-CANS assessment for each child or nonminor dependent at least once every 6 months and more frequently to address the needs or changing circumstances of the child or nonminor dependent as directed by the State Department of Social Services. Under the bill, the components of the Tiered Rate Structure will be effective on the date on which the IP-CANS assessment is completed and entered into the statewide child welfare information system or 60 days after the child enters or reenters foster care, whichever comes first. The bill would require, if the IP-CANS assessment is not completed and entered into the statewide child welfare information system within 60 days of a child's entry or reentry into foster care, the components of the Tiered Rate Structure to be effective retroactive to 60 days after the child enters or reenters foster care.

The bill would specify the rates to be paid for the components of the Tiered Rate Structure, and require the entry rate to be adjusted, beginning July 1, 2028, as specified. The bill would instead make the 3 components of the Tiered Rate Structure become operative on July 1, 2027, or the date after (1) the State Department of Social Services notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement the Tiered Rate Structure and (2) the Legislature makes an appropriation for the express purpose of implementing the Tiered Rate Structure, whichever is later.

Existing law establishes the Immediate Needs Program, to provide an array of integrated services and supports based on the immediate needs, as defined, of children who fall into Tier 2 or Tier 3 of the Tiered Rate Structure, pursuant to the IP-CANS assessment. Existing law requires the immediate needs funding for a child to be based on their tier, as determined by the IP-CANS. Existing law requires each placing agency be provided funding to support the Immediate Needs Program, and the State Department of Social Services is required to utilize a reconciliation process to adjust biannual funding as needed to ensure the placing agency has sufficient funding to provide for the immediate needs of each eligible child or nonminor dependent.

This bill would instead require each placing agency be provided funding consisting of the total amount of Immediate Needs Funding for all eligible children and nonminor dependents in Tiers 2, 3, and 3+ who are under the placing agency's care and supervision using a methodology developed by the State Department of Social Services, as specified.

By revising the duties required of placing agencies, this bill would impose a state-mandated local program.

(6) Existing law authorizes the State Department of Social Services and the State Department of Health Care Services to issue all-county letters or similar instructions, as specified, to implement specified provisions until regulations are adopted. Existing law requires regulations to be adopted no later than July 1, 2024.

This bill would extend the deadline by which regulations need to be adopted to January 1, 2030. The bill would also authorize the State Department of Social Services and the State Department of Health Care Services to issue all-county letters or similar instructions, as specified, for the purpose of this bill, until regulations are adopted no later than January 1, 2030.

(7) Existing law establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families using federal, state, and county funds. Existing law generally requires a recipient of CalWORKs to participate in welfare-to-work activities as a condition of eligibility. Existing law further specifies the sequence of employment-related activities a welfare-to-work participant is required to undertake, which includes a requirement that the participant receive orientation and appraisal, participate in job search and job club, be referred for assessment and establishment of a welfare-to-work plan, and participate in work activities. Existing law establishes a list of the activities that qualify as welfare-to-work activities for inclusion in the welfare-to-work plan, which includes, among other things, unsubsidized employment, adult basic education, and job skills training directly related to employment. Existing law also requires that necessary supportive services be available to participants in welfare-to-work activities, including transportation costs, which are governed by regional market rates as determined in accordance with regulations established by the State Department of Social Services.

This bill would, among other things, require recipients to receive a combined appraisal and orientation to the welfare-to-work program, as specified, require counties to schedule for certain recipients an assessment that evaluates their strengths and skills, and require counties to regularly review the family assistance plan with the participant. This bill would revise the list of activities

that qualify as welfare-to-work activities by, among other things, including barrier removal services, and would also make participation in job search and job club optional. This bill would specify that transportation services may include bus passes, mileage reimbursement, and car ownership programs, among other things, and would also specify that transportation costs include the payment for transporting a participant's children, as specified. The bill would require all payments for transportation to be advanced to participants, as specified.

Existing law requires the imposition of sanctions, as appropriate, if an individual has failed or refused to comply with program requirements without good cause and conciliation efforts have failed. Existing law requires the termination of the sanction at any point if the noncomplying participant performs the activity or activities that they previously refused to perform.

This bill would instead require the termination of sanctions if the participant indicates to the county verbally or in writing that they want to cure their sanction and begin participating in welfare-to-work activities, or the county verifies or otherwise discovers that the individual is or has been meeting the federally required minimum average number of hours per week of welfare-to-work participation. The bill would prohibit the imposition of sanctions during the first 90 days after an individual is determined eligible for aid, and would require, prior to the imposition of sanctions, the county to verify that the participant had secured childcare.

The bill would make the above-described provisions operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement those provisions. The bill would authorize the State Department of Social Services to implement, interpret, or make specific the above-described provisions by means of all-county letters or similar written instructions from the department until regulations are adopted.

By increasing the duties of counties administering the CalWORKs program, the bill would impose a state-mandated local program.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would provide that the continuous appropriation would not be made for the purposes of implementing the bill.

(8) This bill would appropriate \$100,000 from the Federal Trust Fund to the State Department of Social Services for child welfare programs.

(9) 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(10) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: yes

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

SECTION 1. Section 11165.7 of the Penal Code is amended to read:

11165.7. (a) As used in this article, "mandated reporter" is defined as any of the following:

- (1) A teacher.
- (2) An instructional aide.
- (3) A teacher's aide or teacher's assistant employed by a public or private school.
- (4) A classified employee of a public school.
- (5) An administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of a public or private school.
- (6) An administrator of a public or private day camp.
- (7) An administrator or employee of a public or private youth center, youth recreation program, or youth organization.

(8) An administrator, board member, or employee of a public or private organization whose duties require direct contact and supervision of children, including a foster family agency.

(9) An employee of a county office of education or the State Department of Education whose duties bring the employee into contact with children on a regular basis.

(10) A licensee, an administrator, or an employee of a licensed child daycare facility or community care facility, except those licensed community care facilities exclusively serving adults and seniors.

(11) A Head Start program teacher.

(12) A licensing worker or licensing evaluator employed by a licensing agency, as defined in Section 11165.11.

(13) A public assistance worker.

(14) An employee of a childcare institution, including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities.

(15) A social worker, probation officer, or parole officer.

(16) An employee of a school district police or security department.

(17) A person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in a public or private school.

(18) A district attorney investigator, inspector, or local child support agency caseworker, unless the investigator, inspector, or caseworker is working with an attorney appointed pursuant to Section 317 of the Welfare and Institutions Code to represent a minor.

(19) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, who is not otherwise described in this section.

(20) A firefighter, except for volunteer firefighters.

(21) A physician and surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, optometrist, marriage and family therapist, clinical social worker, professional clinical counselor, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code.

(22) An emergency medical technician I or II, paramedic, or other person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

(23) A psychological assistant registered pursuant to Section 2913 of the Business and Professions Code.

(24) A marriage and family therapist trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code.

(25) An unlicensed associate marriage and family therapist registered under Section 4980.44 of the Business and Professions Code.

(26) A state or county public health employee who treats a minor for venereal disease or any other condition.

(27) A coroner.

(28) A medical examiner or other person who performs autopsies.

(29) A commercial film and photographic print or image processor as specified in subdivision (e) of Section 11166. As used in this article, "commercial film and photographic print or image processor" means a person who develops exposed photographic film into negatives, slides, or prints, or who makes prints from negatives or slides, or who prepares, publishes, produces, develops, duplicates, or prints any representation of information, data, or an image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image, for compensation. The term includes any employee of that person; it does not include a person who develops film or makes prints or images for a public agency.

(30) A child visitation monitor. As used in this article, "child visitation monitor" means a person who, for financial compensation, acts as a monitor of a visit between a child and another person when the monitoring of that visit has been ordered by a court of

law.

(31) An animal control officer or humane society officer. For the purposes of this article, the following terms have the following meanings:

(A) "Animal control officer" means a person employed by a city, county, or city and county for the purpose of enforcing animal control laws or regulations.

(B) "Humane society officer" means a person appointed or employed by a public or private entity as a humane officer who is qualified pursuant to Section 14502 or 14503 of the Corporations Code.

(32) A clergy member, as specified in subdivision (d) of Section 11166. As used in this article, "clergy member" means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized denomination or organization.

(33) Any custodian of records of a clergy member, as specified in this section and subdivision (d) of Section 11166.

(34) An employee of any police department, county sheriff's department, county probation department, or county welfare department.

(35) An employee or volunteer of a Court Appointed Special Advocate program, as defined in Rule 5.655 of the California Rules of Court.

(36) A custodial officer, as defined in Section 831.5.

(37) A person providing services to a minor child under Section 12300 or 12300.1 of the Welfare and Institutions Code.

(38) An alcohol and drug counselor. As used in this article, an "alcohol and drug counselor" is a person providing counseling, therapy, or other clinical services for a state licensed or certified drug, alcohol, or drug and alcohol treatment program. However, alcohol or drug abuse, or both alcohol and drug abuse, is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

(39) A clinical counselor trainee, as defined in subdivision (g) of Section 4999.12 of the Business and Professions Code.

(40) An associate professional clinical counselor registered under Section 4999.42 of the Business and Professions Code.

(41) An employee or administrator of a public or private postsecondary educational institution, whose duties bring the administrator or employee into contact with children on a regular basis, or who supervises those whose duties bring the administrator or employee into contact with children on a regular basis, as to child abuse or neglect occurring on that institution's premises or at an official activity of, or program conducted by, the institution. Nothing in this paragraph shall be construed as altering the lawyer-client privilege as set forth in Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

(42) An athletic coach, athletic administrator, or athletic director employed by any public or private school that provides any combination of instruction for kindergarten, or grades 1 to 12, inclusive.

(43) (A) A commercial computer technician as specified in subdivision (e) of Section 11166. As used in this article, "commercial computer technician" means a person who works for a company that is in the business of repairing, installing, or otherwise servicing a computer or computer component, including, but not limited to, a computer part, device, memory storage or recording mechanism, auxiliary storage recording or memory capacity, or any other material relating to the operation and maintenance of a computer or computer network system, for a fee. An employer who provides an electronic communications service or a remote computing service to the public shall be deemed to comply with this article if that employer complies with Section 2258A of Title 18 of the United States Code.

(B) An employer of a commercial computer technician may implement internal procedures for facilitating reporting consistent with this article. These procedures may direct employees who are mandated reporters under this paragraph to report materials described in subdivision (e) of Section 11166 to an employee who is designated by the employer to receive the reports. An employee who is designated to receive reports under this subparagraph shall be a commercial computer technician for purposes of this article. A commercial computer technician who makes a report to the designated employee pursuant to this subparagraph shall be deemed to have complied with the requirements of this article and shall be subject to the protections afforded to mandated reporters, including, but not limited to, those protections afforded by Section 11172.

(44) Any athletic coach, including, but not limited to, an assistant coach or a graduate assistant involved in coaching, at public or private postsecondary educational institutions.

(45) An individual certified by a licensed foster family agency as a certified family home, as defined in Section 1506 of the Health and Safety Code.

(46) An individual approved as a resource family, as defined in Section 1517 of the Health and Safety Code and Section 16519.5 of the Welfare and Institutions Code.

(47) A qualified autism service provider, a qualified autism service professional, or a qualified autism service paraprofessional, as defined in Section 1374.73 of the Health and Safety Code and Section 10144.51 of the Insurance Code.

(48) A human resource employee of a business subject to Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code that employs minors. For purposes of this section, a "human resource employee" is the employee or employees designated by the employer to accept any complaints of misconduct as required by Chapter 6 (commencing with Section 12940) of Part 2.8 of Division 3 of Title 2 of the Government Code.

(49) An adult person whose duties require direct contact with and supervision of minors in the performance of the minors' duties in the workplace of a business subject to Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code is a mandated reporter of sexual abuse, as defined in Section 11165.1. Nothing in this paragraph shall be construed to modify or limit the person's duty to report known or suspected child abuse or neglect when the person is acting in some other capacity that would otherwise make the person a mandated reporter.

(b) Except as provided in paragraph (35) of subdivision (a), volunteers of public or private organizations whose duties require direct contact with and supervision of children are not mandated reporters but are encouraged to obtain training in the identification and reporting of child abuse and neglect and are further encouraged to report known or suspected instances of child abuse or neglect to an agency specified in Section 11165.9.

(c) (1) Except as provided in subdivision (d) and paragraph (2), employers are strongly encouraged to provide their employees who are mandated reporters with training in the duties imposed by this article. This training shall include training in child abuse and neglect identification and training in child abuse and neglect reporting. Whether or not employers provide their employees with training in child abuse and neglect identification and reporting, the employers shall provide their employees who are mandated reporters with the statement required pursuant to subdivision (a) of Section 11166.5.

(2) Employers subject to paragraphs (48) and (49) of subdivision (a) shall provide their employees who are mandated reporters with training in the duties imposed by this article. This training shall include training in child abuse and neglect identification and training in child abuse and neglect reporting. The training requirement may be met by completing the general online training for mandated reporters offered by the Office of Child Abuse Prevention in the State Department of Social Services.

(d) Pursuant to Section 44691 of the Education Code, school districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools shall annually train their employees and persons working on their behalf specified in subdivision (a) in the duties of mandated reporters under the child abuse reporting laws. The training shall include, but not necessarily be limited to, training in child abuse and neglect identification and child abuse and neglect reporting.

(e) (1) On and after January 1, 2018, pursuant to Section 1596.8662 of the Health and Safety Code, a childcare licensee applicant shall take training in the duties of mandated reporters under the child abuse reporting laws as a condition of licensure, and a childcare administrator or an employee of a licensed child daycare facility shall take training in the duties of mandated reporters during the first 90 days when that administrator or employee is employed by the facility.

(2) A person specified in paragraph (1) who becomes a licensee, administrator, or employee of a licensed child daycare facility shall take renewal mandated reporter training every two years following the date on which that person completed the initial mandated reporter training. The training shall include, but not necessarily be limited to, training in child abuse and neglect identification and child abuse and neglect reporting.

(f) Unless otherwise specifically provided, the absence of training shall not excuse a mandated reporter from the duties imposed by this article.

(g) Public and private organizations are encouraged to provide their volunteers whose duties require direct contact with and supervision of children with training in the identification and reporting of child abuse and neglect.

SEC. 2. Section 358.2 of the Welfare and Institutions Code is repealed.

SEC. 3. Section 358.2 is added to the Welfare and Institutions Code, to read:

358.2. The court report prepared pursuant to Section 358.1 shall include a copy of each child and family team action plan, as required by subparagraph (B) of paragraph (5) of subdivision (a) of Section 16501, that is completed on or after January 1, 2026,

and was not previously provided to the court.

SEC. 4. Section 366.2 of the Welfare and Institutions Code is repealed.

SEC. 5. Section 366.2 is added to the Welfare and Institutions Code, to read:

366.2. The court report prepared pursuant to Section 366.1 shall include a copy of each child and family team action plan, as required by subparagraph (B) of paragraph (5) of subdivision (a) of Section 16501, that is completed on or after January 1, 2026, and was not previously provided to the court.

SEC. 6. Section 706.5 of the Welfare and Institutions Code is amended to read:

706.5. (a) If placement in foster care is recommended by the probation officer, or where the minor is already in foster care placement or pending placement pursuant to an earlier order, the social study prepared by the probation officer that is received into evidence at disposition pursuant to Section 706 shall include a case plan, as described in Section 706.6. If the court elects to hold the first status review at the disposition hearing, the social study shall also include, but not be limited to, the factual material described in subdivision (c).

(b) If placement in foster care is not recommended by the probation officer prior to disposition, but the court orders foster care placement, the court shall order the probation officer to prepare a case plan, as described in Section 706.6, within 30 days of the placement order. The case plan shall be filed with the court.

(c) At each status review hearing, the social study shall include, but not be limited to, an updated case plan as described in Section 706.6 and the following information:

(1) (A) The continuing necessity for and appropriateness of the placement.

(B) On and after October 1, 2021, for the minor or nonminor dependent whose placement in a short-term residential therapeutic program has been reviewed and approved, and, on and after July 1, 2022, for the minor or nonminor dependent whose placement in a community treatment facility has been reviewed and approved, pursuant to Section 727.12, the social study shall include evidence of each of the following:

(i) Ongoing assessment of the strengths and needs of the minor or nonminor dependent continues to support the determination that the needs of the minor or nonminor dependent cannot be met by family members or in another family-based setting, placement in a short-term residential therapeutic program or community treatment facility, as applicable, continues to provide the most effective and appropriate level of care in the least restrictive environment, and the placement is consistent with the short- and long-term mental and behavioral health goals and permanency plan for the minor or nonminor dependent.

(ii) Documentation of the minor or nonminor dependent's specific treatment or service needs that will be met in the placement, and the length of time the minor or nonminor dependent is expected to need the treatment or services. For a Medi-Cal beneficiary, the determination of services and expected length of time for those services funded by Medi-Cal shall be based upon medical necessity and on all other state and federal Medi-Cal requirements, and shall be reflected in the documentation.

(iii) Documentation of the intensive and ongoing efforts made by the probation department, consistent with the minor or nonminor dependent's permanency plan, to prepare the minor or nonminor dependent to return home or to be placed with a fit and willing relative, a legal guardian, an adoptive parent, in a resource family home, tribally approved home, or in another appropriate family-based setting, or, in the case of a nonminor dependent, in a supervised independent living setting.

(2) The extent of the probation department's compliance with the case plan in making reasonable efforts to safely return the minor to the minor's home or to complete whatever steps are necessary to finalize the permanent placement of the minor.

(3) The extent of progress that has been made by the minor and parent or guardian toward alleviating or mitigating the causes necessitating placement in foster care.

(4) If the first permanency planning hearing has not yet occurred, the social study shall include the likely date by which the minor may be returned to and safely maintained in the home or placed for adoption, appointed a legal guardian, permanently placed with a fit and willing relative, or referred to another planned permanent living arrangement.

(5) Whether the minor has been or will be referred to educational services and what services the minor is receiving, including special education and related services if the minor has exceptional needs as described in Part 30 (commencing with Section 56000) of Division 4 of Title 2 of the Education Code or accommodations if the child has disabilities as described in Chapter 16

(commencing with Section 701) of Title 29 of the United States Code Annotated. The probation officer or child advocate shall solicit comments from the appropriate local education agency prior to completion of the social study.

(6) If the parent or guardian is unwilling or unable to participate in making an educational or developmental services decision for their child, or if other circumstances exist that compromise the ability of the parent or guardian to make educational or developmental services decisions for the child, the probation department shall consider whether the right of the parent or guardian to make educational or developmental services decisions for the minor should be limited. If the study makes that recommendation, it shall identify whether there is a responsible adult available to make educational or developmental services decisions for the minor pursuant to Section 726.

(7) When the minor is 16 years of age or older and in another planned permanent living arrangement, the social study shall include a description of all of the following:

(A) The intensive and ongoing efforts to return the minor to the home of the parent, place the minor for adoption, or establish a legal guardianship, as appropriate.

(B) The steps taken to do both of the following:

(i) Ensure that the minor's care provider is following the reasonable and prudent parent standard.

(ii) Determine whether the minor has regular, ongoing opportunities to engage in age or developmentally appropriate activities, including consulting with the minor about opportunities for the minor to participate in the activities.

(8) When the minor is under 16 years of age and has a permanent plan of return home, adoption, legal guardianship, or placement with a fit and willing relative, the social study shall include a description of any barriers to achieving the permanent plan and the efforts made by the agency to address those barriers.

(9) (A) For a child who is 10 years of age or older and has been declared a ward of the juvenile court pursuant to Section 601 or 602 for a year or longer, the information in subparagraph (B) of paragraph (1) of subdivision (h) of Section 366.1.

(B) For a child who is 10 years of age or older, whether the probation officer has informed the minor or nonminor dependent of the information in paragraph (2) of subdivision (h) of Section 366.1.

(C) This paragraph does not affect any applicable confidentiality law.

(10) For a child who is 16 years of age or older or for a nonminor dependent, whether the probation officer has, pursuant to the requirements of paragraph (22) of subdivision (g) of Section 16501.1, identified the person or persons who shall be responsible for assisting the child or nonminor dependent with applications for postsecondary education and related financial aid, or that the child or nonminor dependent stated that they do not want to pursue postsecondary education, including career or technical education.

(11) A copy of each child and family team action plan, as required by subparagraph (B) of paragraph (5) of subdivision (a) of Section 16501, that is completed on or after January 1, 2026, and was not previously provided to the court.

(d) At each permanency planning hearing, the social study shall include, but not be limited to, an updated case plan as described in Section 706.6, the factual material described in subdivision (c) of this section, and a recommended permanent plan for the minor.

SEC. 7. Section 10544 of the Welfare and Institutions Code is amended to read:

10544. (a) If the department finds that a county is experiencing significantly worsened outcomes, it shall report this finding to the Chairs of the Senate Committee on Budget and Fiscal Review, the Assembly Committee on Budget, the Senate Committee on Health and Human Services, and the Assembly Committee on Human Services.

(b) If the state does not achieve the outcomes required by federal law and, as a result, is subject to a fiscal penalty, the penalty shall be shared equally by the state and the counties after exhaustion of all reasonable and available federal administrative remedies. If a county's single allocation pursuant to Section 15204.2 is reduced by the state to offset the county's share of any federal penalty imposed pursuant to this section, the county shall be required to utilize county general funds to replace the offset amount, so that total funding remains equal to the county's single allocation. These funds shall be in addition to the funds required to meet the maintenance-of-effort requirement pursuant to Section 15204.4. Only those counties that have failed to meet the federal requirements shall be required to share in the fiscal penalty imposed on the state. Those counties' share of the penalty imposed on the state shall equal 50 percent of that penalty. Each county's share of the penalty shall be based, in consultation with the County Welfare Directors Association, on the county's degree of performance that contributes to the failure to meet the federal requirement.

(c) A county may be provided relief, in whole or in part, from a penalty imposed pursuant to subdivision (b) if the department determines that there were circumstances beyond the control of the county. A county may also be provided relief based on the degree of success or progress in meeting federal requirements, and, to the extent that there are differences between state and federal program requirements, the degree of success in meeting state participation requirements. Any adjustment made pursuant to this subdivision shall be reported to the Chair of the Joint Legislative Budget Committee. If a county is granted relief, that portion of the total penalty shall not be imposed on the other counties that failed to meet the federal requirements.

(d) A county that fails, without good cause, to submit accurate and timely data used to measure work participation, as required by the department, shall be deemed to have failed to meet applicable federal requirements. For purposes of this subdivision, good cause includes, but is not limited to, the lack of accurate, timely, and complete instructions from the department.

(e) The amendments made to subdivision (b) by the amendment of this section in 2006 by Chapter 75 of the Statutes of 2006, clarify existing law, as enacted by Assembly Bill 1542 (Ch. 270, Stats. 1997).

(f) (1) The department shall consult with the workgroup created pursuant to Section 11523, in the fall of 2022, to develop recommendations to address the existing emphasis on the federal work participation rate and penalty pass-on structure, as described in this section, while optimizing the implementation of the first cycle of the CalWORKs Outcomes and Accountability Review (Cal-OAR) process. The department shall submit a report of recommendations to the Legislature on or before April 15, 2023.

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

(g) This section does not apply to any federal fiscal penalties imposed as a result of not meeting federal work participation rate requirements on or after October 1, 2025.

SEC. 8. Section 11320.1 of the Welfare and Institutions Code is amended to read:

11320.1. (a) Subsequent to the commencement of the receipt of aid under this chapter, the sequence of employment-related activities required of recipients under this article, unless exempted under Section 11320.3, shall be as follows:

(1) Orientation and appraisal. Recipients shall, and applicants may, at the option of a county and with the consent of the applicant, receive orientation to the welfare-to-work program provided under this article and receive appraisal pursuant to Section 11325.2.

(2) (A) After orientation and appraisal, if determined appropriate based on the appraisal, the county shall offer the recipient the opportunity to participate in family stabilization pursuant to Section 11325.24, and, if available, substance abuse, mental health, or domestic violence services. If not determined to be appropriate based on the appraisal, or if the county determines that proceeding to assessment pursuant to paragraph (3) would not interfere with those services, the recipient shall participate in the assessment.

(B) A recipient who has not received their high school diploma or its equivalent shall be offered a welfare-to-work plan pursuant to Section 11325.21 to participate in a high school education program or high school equivalency program, as described in Section 11325.3. If the recipient declines to participate in the educational activities described in this subparagraph, and to instead participate in assessment, as provided for in Section 11325.4, the recipient shall make that election in writing. Following assessment, the county and the recipient shall develop a welfare-to-work plan, as specified in Section 11325.21. The plan shall specify the activities provided for in Section 11322.6 to which the recipient shall be assigned, and the supportive services, as provided for pursuant to Section 11323.2, with which the recipient will be provided.

(3) Assessment. After orientation and appraisal, if not exempt pursuant to Section 11320.3, the recipient shall be referred to assessment, as provided for in Section 11325.4. Following assessment, the county and the recipient shall develop a welfare-to-work plan, as specified in Section 11325.21. The plan shall specify the activities provided for in Section 11322.6 to which the recipient shall be assigned, and the supportive services, as provided for pursuant to Section 11323.2, with which the recipient will be provided.

(4) Work activities. A recipient who has signed a welfare-to-work plan pursuant to Section 11325.21 shall participate in work activities, as described in this article.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific the changes made to this section by the act that added this subdivision by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(c) This section shall become inoperative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, as added by the act that added this subdivision, and, as of January 1 of the following year, is repealed.

SEC. 9. Section 11320.1 is added to the Welfare and Institutions Code, to read:

11320.1. (a) Subsequent to the commencement of the receipt of aid under this chapter, the sequence of activities of counties and recipients under this article, unless exempted under Section 11320.3, shall be as follows:

(1) (A) Orientation and appraisal. The county shall provide recipients with a combined appraisal and an orientation to the welfare-to-work program provided under this article, unless the recipient has attended an appraisal in the past 12 months.

(B) The county shall provide the recipient with a blank simplified appraisal form, as set forth in Section 11325.15, and an online link to the form that the individual can return in person, by mail, or electronically. The appraisal shall gather and provide information about the applicant in all of the following areas:

(i) Housing status and stability.

(ii) Language barriers.

(iii) Physical and behavioral health, including mental health and substance abuse issues.

(iv) Child physical and behavioral health and well-being.

(v) Criminal background that may present a barrier to employment or housing stability.

(vi) The individual's assessment of their skills, prior work experience, and employability. The individual may indicate they would like assistance with this assessment.

(vii) Need for supportive services, as described in Section 11323.2.

(viii) Any other barrier the individual chooses to identify.

(C) Orientation shall include all of the following:

(i) A review of the full range of the welfare-to-work activities described in Section 11322.6 and supportive services described in Section 11323.2.

(ii) Information on the bases for exemption described in Section 11320.3, how to request an exemption, and the opportunity to participate and receive supportive services as an exempt volunteer.

(iii) An offer to be screened and evaluated for a learning disability.

(iv) Information regarding the ability to request barrier removal services and referrals at any time.

(v) Provision of a welfare-to-work plan, as described in Section 11325.21, and information on alternative ways to submit the plan, including electronically. The recipient may attend orientation in person, by telephone, or by any alternative mode the county has available that the recipient chooses.

(vi) The county shall ask if the recipient has a physical, mental, or emotional circumstance that would interfere with their participation in welfare-to-work activities. If the recipient discloses a barrier, the county shall review the recipient's case for and provide exemptions pursuant to Section 11320.3 and offer services to assist with barrier removal.

(D) Pursuant to Section 11325.15, the department shall develop a standardized statewide orientation and appraisal, in consultation with stakeholders. Counties may add county-specific information to the standardized orientation.

(2) Initial engagement activities may include other activities, if eligible, such as family stabilization pursuant to Section 11325.24, or substance abuse, mental health, or domestic violence services, as described in paragraph (1). The recipient shall make that election verbally or in writing on the welfare-to-work plan.

(3) Create welfare-to-work plan. After completing orientation and appraisal, the participant may complete and return the welfare-to-work plan to the county.

(4) (A) Assessment and welfare-to-work plan development.

(B) If a recipient has not either completed a simplified appraisal or a welfare-to-work plan within 45 days of being approved for aid, or if a recipient has requested county assistance, as described in paragraph (11) of subdivision (a) of Section

11325.2, the county shall set an appointment, which may include an assessment to collaboratively develop the plan, as described in Section 11325.4. The notice to the recipient of the appointment shall include a blank welfare-to-work plan, as described in Section 11325.21, and information on alternative ways to submit the plan. The assessment shall be conducted in person, by telephone, or by any alternative mode the county has available that the recipient chooses.

(C) The plan development appointment may be in person, by telephone, or by any alternative mode the county has available that the recipient chooses. The recipient may complete and return a welfare-to-work plan in lieu of attending the appointment. The plan, as set forth in Section 11325.21, shall be developed within 90 days of approval of aid.

(5) Work activities. At the completion of the welfare-to-work plan development, the recipient shall sign the plan in person, or by any alternative mode of providing a signature, as available in the county, including, but not limited to, electronic, telephonic, and oral attestation. A recipient who has signed a welfare-to-work plan described in Section 11325.21 shall participate in work activities, as described in this article.

(6) The county shall regularly review the welfare-to-work plan with the participant to ensure that the plan accurately reflects the current services and participation activities the county feels are best suited to support their well-being. During times that the county has personal contacts with the participant, or during other outreach efforts made by the county, the county shall offer to review the welfare-to-work activities. If those contacts or other outreach efforts have not occurred, and no other plan adjustments have been made to the plan within the past six months, the county shall send the participant a written notice along with their current plan and information on how to contact the county to make any plan adjustments.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this section by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(c) This section shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section.

SEC. 10. Section 11322.6 of the Welfare and Institutions Code is amended to read:

11322.6. The welfare-to-work plan developed by the county welfare department and the participant pursuant to this article shall provide for welfare-to-work activities. Welfare-to-work activities may include, but are not limited to, any of the following:

(a) Unsubsidized employment.

(b) Subsidized private sector employment.

(c) Subsidized public sector employment.

(d) Work experience, which means public or private sector work that shall help provide basic job skills, enhance existing job skills in a position related to the participant's experience, or provide a needed community service that will lead to employment. Unpaid work experience shall be limited to 12 months, unless the county welfare department and the recipient agree to extend this period by an amendment to the welfare-to-work plan. The county welfare department shall review the work experience assignment as appropriate and make revisions as necessary to ensure that it continues to be consistent with the participant's plan and effective in preparing the participant to attain employment.

(e) On-the-job training.

(f) (1) Grant-based on-the-job training, which means public or private sector employment or on-the-job training in which the recipient's cash grant, or a portion thereof, or the aid grant savings resulting from employment, or both, is diverted to the employer as a wage subsidy to partially or wholly offset the payment of wages to the participant, so long as the total amount diverted does not exceed the family's maximum aid payment.

(2) A county shall not assign a participant to grant-based on-the-job training unless and until the participant has voluntarily agreed to participate in grant-based on-the-job training by executing a voluntary agreement form, which shall be developed by the department. The agreement shall include, but not be limited to, information on the following:

(A) How job termination or another event will not result in loss of the recipient's grant funds, pursuant to department regulations.

(B) (i) How to obtain the federal Earned Income Tax Credit (EITC), including the Advance EITC, and increased CalFresh benefits, which may become available due to increased earned income.

(ii) This subparagraph shall only become operative when and to the extent that the department determines that it reflects current federal law and Internal Revenue Service regulations.

(C) How these financial supports should increase the participant's current income and how increasing earned income should increase the recipient's future social security income.

(3) Grant-based on-the-job training shall include community service positions pursuant to Section 11322.9.

(4) Any portion of a wage from employment that is funded by the diversion of a recipient's cash grant, or the grant savings from employment pursuant to this subdivision, or both, shall not be exempt under Section 11451.5 from the calculation of the income of the family for purposes of subdivision (a) of Section 11450.

(g) Supported work or transitional employment, which means forms of grant-based on-the-job training in which the recipient's cash grant, or a portion thereof, or the aid grant savings from employment, is diverted to an intermediary service provider, to partially or wholly offset the payment of wages to the participant.

(h) Work study.

(i) Self-employment.

(j) Community service.

(k) Adult basic education, which shall include reading, writing, arithmetic, high school proficiency, or general educational development certificate of instruction, and English as a second language. Participants under this subdivision shall be referred to appropriate service providers that include, but are not limited to, educational programs operated by school districts or county offices of education that have contracted with the Superintendent of Public Instruction to provide services to participants pursuant to Section 33117.5 of the Education Code.

(l) Job skills training directly related to employment.

(m) Vocational education and training, including, but not limited to, college and community college education, adult education, regional occupational centers, and regional occupational programs.

(n) Job search and job readiness assistance, which means providing the recipient with training to learn job seeking and interviewing skills, to understand employer expectations, and learn skills designed to enhance an individual's capacity to move toward self-sufficiency, including financial management education.

(o) Education directly related to employment.

(p) Satisfactory progress in secondary school or in a course of study leading to a certificate of general educational development, in the case of a recipient who has not completed secondary school or received such a certificate.

(q) Mental health, substance abuse, and domestic violence services, described in Sections 11325.7 and 11325.8, and Article 7.5 (commencing with Section 11495), that are necessary to obtain and retain employment.

(r) Other activities necessary to assist an individual in obtaining unsubsidized employment.

Assignment to an educational activity identified in subdivisions (k), (m), (o), and (p) is limited to those situations in which the education is needed to become employed.

(s) This section shall become inoperative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, as added by the act that added this subdivision, and, as of January 1 of the following year, is repealed.

SEC. 11. Section 11322.6 is added to the Welfare and Institutions Code, to read:

11322.6. (a) The welfare-to-work plan developed pursuant to this article shall provide for welfare-to-work activities. Welfare-to-work activities may include, but are not limited to, any of the following:

(1) Educational activities, which may include, but are not limited to, all of the following:

(A) Postsecondary education leading to a degree or certificate, which may be attended in person or online.

(B) Obtaining a high school diploma.

(C) Technical training and vocational education and training, including, but not limited to, college and community college education, adult education, regional occupational centers, and regional occupational programs.

(D) Career-specific education.

(E) Job skills training.

(F) Adult basic education, which shall include reading, writing, arithmetic, high school proficiency, or a general educational development certificate of instruction, and English as a second language. Participants under this subparagraph shall be referred to appropriate service providers that include, but are not limited to, educational programs operated by school districts or county offices of education that have contracted with the Superintendent of Public Instruction to provide services to participants pursuant to Section 33117.5 of the Education Code.

(2) Work activities, which may include, but are not limited to, those set forth in Section 261.30 of Title 45 of the Code of Federal Regulations, and any of the following:

(A) Unsubsidized employment.

(B) Subsidized private or public sector employment.

(C) Work experience, which means public or private sector work that shall help provide basic job skills, enhance existing job skills in a position related to the participant's experience, or provide a needed community service that will lead to employment. Unpaid work experience shall be limited to 12 months, unless the county welfare department and the recipient agree to extend this period by an amendment to the welfare-to-work plan. The county welfare department shall review the work experience assignment as appropriate and make revisions as necessary to ensure that it continues to be consistent with the participant's plan and effective in preparing the participant to attain employment.

(D) On-the-job training.

(E) (i) Grant-based on-the-job training, which means public or private sector employment or on-the-job training in which the recipient's cash grant, or a portion thereof, or the aid grant savings resulting from employment, or both, is diverted to the employer as a wage subsidy to partially or wholly offset the payment of wages to the participant, so long as the total amount diverted does not exceed the family's maximum aid payment.

(ii) A county shall not assign a participant to grant-based on-the-job training unless and until the participant has voluntarily agreed to participate in grant-based on-the-job training by executing a voluntary agreement form, which shall be developed by the department. The agreement shall include, but not be limited to, information on the following:

(I) How job termination or another event will not result in loss of the recipient's grant funds, pursuant to department regulations.

(II) (ia) How to obtain the federal Earned Income Tax Credit (EITC), including the Advance EITC, and increased CalFresh benefits, which may become available due to increased earned income.

(ib) This subparagraph shall only become operative when and to the extent that the department determines that it reflects current federal law and Internal Revenue Service regulations.

(III) How these financial supports should increase the participant's current income and how increasing earned income should increase the recipient's future social security income.

(iii) Grant-based on-the-job training shall include community service positions pursuant to Section 11322.9.

(iv) Any portion of a wage from employment that is funded by the diversion of a recipient's cash grant, or the grant savings from employment pursuant to this subdivision, or both, shall not be exempt under Section 11451.5 from the calculation of the income of the family for purposes of subdivision (a) of Section 11450.

(F) Supported work or transitional employment, which means forms of grant-based on-the-job training in which the recipient's cash grant, or a portion thereof, or the aid grant savings from employment, is diverted to an intermediary service provider, to partially or wholly offset the payment of wages to the participant.

(3) Barrier removal services, when available, which may include, but not be limited to, all of the following:

(A) Mental health services, as described in Section 11325.7; substance abuse treatment services, as described in Section 11325.8; CalWORKs Home Visiting Program services, as described in Article 3.4 (commencing with Section 11330.6); and domestic violence services, as described in Article 7.5 (commencing with Section 11495).

(B) Financial literacy classes and coaching.

(C) Activities that develop and enhance workplace skills, including, but not limited to, career-specific training programs, English language learning, literacy and mathematics skill courses, or credential programs.

(D) Working with children's health and school professionals, parenting classes, education-related appointments for the participant or their dependents, child welfare or child welfare-related activities, and any other activities to help ensure child well-being and family unity.

(E) Activities that build foundations for employment, including, but not limited to, housing search efforts.

(F) Activities related to legal issues or housing stability, including, but not limited to, court appearances, housing searches and tenant rights and obligation classes, homeless support programs, and shelter participation requirements.

(b) The department shall have the discretion to identify additional plan activities that improve employment opportunities and family well-being.

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this section by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(d) This section shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section.

SEC. 12. Section 11323.2 of the Welfare and Institutions Code is amended to read:

11323.2. (a) Necessary supportive services shall be offered and available to every participant to enable them to participate in a program activity or to accept or maintain employment. Necessary supportive services shall also be offered and available to every individual who is not required to participate, but chooses to participate voluntarily, to allow them to participate in a program activity or to accept or maintain employment. A participant who is required to participate and who does not receive necessary supportive services shall have good cause for not participating under subdivision (f) of Section 11320.3. Supportive services shall be listed in the welfare-to-work plan or other agreement entered into between the county and participant pursuant to this article, supportive services shall include all of the following:

(1) Childcare.

(A) Paid childcare shall be available to every participant with a dependent child in the household who needs paid childcare if the child is 12 years of age or under, or requires childcare or supervision due to a physical, mental, or developmental disability or other similar condition as verified by the county human services agency, or who is under court supervision. A county human services agency may verify the need for childcare or supervision for a child over 12 years of age from an individualized education plan or a statement from a qualified professional that the child is a child with exceptional needs, as defined in Section 10213.5. A sanctioned participant shall have access to childcare pursuant to this section if the participant has indicated an intent to engage in a program activity or employment, but has not yet participated.

(B) First-stage childcare, as described in Chapter 21 (commencing with Section 10370) of Part 1.8, shall be full time, unless the participant determines that part-time care better meets the family's needs. Upon establishing initial or ongoing eligibility for first-stage childcare services under this chapter, a family shall be considered to meet all eligibility and need requirements and be authorized for not less than 24 months, or until the participant is transferred to the second stage of childcare. This shall apply to every participant who indicates a need for childcare in order to engage in a program activity or employment. A participant may, at any time, indicate a new or increased need for childcare and the information shall be used, as applicable, to authorize childcare in accordance with this subparagraph or increase the family's services.

(C) Necessary childcare services shall be available to every former recipient for up to two years, pursuant to Chapter 21 (commencing with Section 10370) of Part 1.8. Beginning January 1, 2021, or the date that automation changes occur, as required for implementation, in the Statewide Automated Welfare System, whichever date is later, in the 18th month following the date of last receipt of aid, the county shall send a notice, via mail to the last known address, text message, or email, to a former recipient who is not currently receiving second- or third-stage childcare informing them that their eligibility for stage-two childcare will expire by the end of the 24th month following their last receipt of aid, and how to obtain stage-two childcare services. The department shall issue an all-county letter or similar directive by November 1, 2019, to implement this subparagraph, until regulations are adopted.

(D) A child in foster care receiving benefits under Title IV-E of the federal Social Security Act (42 U.S.C. Sec. 670 et seq.), or a child who would become a dependent child except for the receipt of federal Supplemental Security Income benefits pursuant to Title XVI of the federal Social Security Act (42 U.S.C. Sec. 1381 et seq.), or a child who is not a member of the

assistance unit but for whom the recipient is responsible for providing support, shall be deemed to be a dependent child for the purposes of this paragraph.

(E) The provision of care and payment rates under this paragraph shall be governed by Chapter 21 (commencing with Section 10370) of Part 1.8. Parent fees shall be governed by Sections 10271 and 10291.

(F) For purposes of subparagraphs (A) and (B), a participant includes an individual who is not required to participate, and expresses an intent to participate voluntarily, or a sanctioned participant who indicates an intent to engage in any program activity, as defined in subdivision (c), or employment. After securing childcare services, to document their commitment to participate, a participant shall sign a welfare-to-work plan or a curing plan, whichever is appropriate, or other agreement that may be developed and approved for use on a statewide basis by the department.

(2) Diaper costs.

(A) On and after April 1, 2018, a participant who is participating in a welfare-to-work plan shall be eligible for thirty dollars (\$30) per month to assist with diaper costs for each child who is under 36 months of age.

(B) The department shall adopt regulations by January 1, 2020, to implement this paragraph. Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department shall implement this paragraph through all-county letters until regulations are adopted.

(3) Transportation costs.

(A) Transportation services may include, but not be limited to, bus passes, mileage reimbursement, van pools, car repairs, car ownership programs, rideshare, parking, and tolls. Counties shall inform participants of the various transportation services available in the county and have the participant identify which transportation services they need in order to participate in welfare-to-work activities.

(B) When the county approves transportation costs for use of a private vehicle, the participant shall receive an advance payment for mileage, which shall be based on a mileage rate used in the county and in the county plan or a regional market rate that is updated annually. In addition, counties may opt to provide separate payments for specific necessary costs related to use of a private vehicle, including, but not limited to, gas, oil, insurance, license and registration fees, normal wear and tear, and maintenance, parking, tolls, car repairs, and other costs directly related to transportation and the activity.

(C) Transportation costs include payment for transporting a participant's children when necessary for the participant to participate in their welfare-to-work assignment or activity.

(D) All payments for transportation shall be advanced to participants. At the time the welfare-to-work plan is developed and the participant's activities are assigned, the county shall also determine what transportation services the participant needs, and shall issue the transportation payment based on the activities contained in the plan, prior to requiring the participant to participate in the activity.

(4) Ancillary expenses, which shall include the cost of books, tools, clothing specifically required for the job, fees, and other necessary costs.

(5) Personal counseling. A participant who has personal or family problems that would affect the outcome of the welfare-to-work plan entered into pursuant to this article shall, to the extent available, receive necessary counseling and related supportive services, to help the participant and the participant's family adjust to the participant's job or training assignment.

(b) If provided in a county plan, the county may continue to provide case management and supportive services under this section to former participants who become employed. The county may provide these services for up to the first 12 months of employment to the extent they are not available from other sources and are needed for the individual to retain the employment.

(c) For the purposes of paragraph (1) of subdivision (a), "program activity" includes, but is not limited to, any welfare-to-work activity, orientation, appraisal, assessment, job search, job club, domestic violence services, court appearances, housing searches and classes, homeless support programs, shelter participation requirements, eviction proceedings, mental health services, including therapy or personal counseling, home visiting, drug and substance abuse services, parenting classes, and medical or education-related appointments for the participant or their dependents.

(d) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific the changes made to this section by the act that added this subdivision by means of all-county letters or similar written instructions from the

department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(e) The changes made to this section by the act that added this subdivision shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement Section 11320.1.

SEC. 13. Section 11325.15 of the Welfare and Institutions Code is amended to read:

11325.15. (a) (1) The Legislature hereby finds and declares that the Online CalWORKs Appraisal Tool (OCAT) is an essential part of CalWORKs welfare-to-work case management and should function as a shared service in the Statewide Automated Welfare System (SAWS), which is the system of record for the CalWORKs program, as expeditiously as possible.

(2) The State Department of Social Services shall expedite any necessary steps to obtain any necessary licenses to allow the OCAT to function as a shared service in the SAWS environment.

(b) OCAT shall become a shared service in the SAWS environment, consistent with the state's shared services strategy. The functionality of OCAT in the SAWS environment shall include, but not be limited to, the exchange of data to prevent the need for duplicate data entry, to alert users to potential data conflicts, and to transmit OCAT recommendations to SAWS, where the recommendations may be used to streamline the case management of welfare-to-work activities and to produce reports.

(c) The implementation of this section shall not reduce access by the department nor counties to OCAT data and recommendations, as that access existed as of June 30, 2017.

(d) (1) Notwithstanding any other law, contracts necessary to obtain licenses for OCAT and the alternate appraisal tool developed by the department pursuant to subdivision (e) shall be exempt from the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.

(2) Notwithstanding any other law, contracts necessary to obtain licenses for OCAT and the alternate appraisal tool developed by the department pursuant to subdivision (e) shall be exempt from the Public Contract Code and the State Contracting Manual, and shall not be subject to the approval of the Department of General Services.

(e) Consistent with Section 11325.2, the department shall develop an updated streamlined appraisal tool to replace OCAT. This tool shall be designed to improve efficiency while maintaining the ability to assess participant strengths and barriers. The department shall convene a stakeholder workgroup, which may be convened concurrently with an existing department stakeholder meeting, to inform the development and use of this tool. The stakeholder workgroup shall include, but not be limited to, representatives of organizations representing the County Welfare Directors Association of California, CalWORKs recipients, social workers, advocacy groups, and any relevant state, county, or city government agencies. The department shall ensure that, in replacing OCAT, the lines of inquiry necessary to support participants are retained in the appraisal tool, including, but not limited to, domestic violence, learning disabilities, and pregnant or parenting teenagers.

(f) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific the changes made to this section by the act that added this subdivision by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(g) The changes made to this section by the act that added this subdivision shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or on the date the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement the changes made to this section by the act that added this subdivision.

SEC. 14. Section 11325.2 of the Welfare and Institutions Code is amended to read:

11325.2. (a) At the time a recipient enters the welfare-to-work program, the county shall conduct an appraisal, pursuant to regulations adopted by the department, during which the recipient is informed of the requirement to participate in allowable welfare-to-work activities and of the provision of supportive services, pursuant to Section 11323.2. The appraisal shall gather and provide information about the recipient in the following areas:

(1) Employment history, interests, and skills.

(2) Educational history and learning disabilities.

(3) Housing status and stability.

(4) Language barriers.

(5) Physical and behavioral health, including, but not limited to, mental health and substance abuse issues.

(6) Child physical and behavioral health and well-being.

(7) Criminal background that may present a barrier to employment or housing stability.

(8) Domestic violence.

(9) Need for supportive services described in Section 11323.2.

(10) Other information that may affect an individual's ability to participate in work activities.

(11) The recipient's determination of their skills, prior work experience, and employability. The recipient may indicate that they would like assistance with this determination. The recipient may request assistance with completing any portion of the appraisal.

(b) (1) The county shall utilize a standardized appraisal tool in order to assess strengths for and barriers to work activities. This tool shall be developed or selected by the department, in consultation with stakeholders, and shall be customized as needed for statewide use.

(2) (A) Upon completion of the development of the updated streamlined appraisal tool developed pursuant to Section 11325.15, the county shall utilize the updated streamlined appraisal tool.

(B) This paragraph shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or on the date the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this paragraph.

(3) Concurrent with the development of the standardized appraisal tool, mandatory training shall be developed for administration of the tool and shall, in addition, include skill-building components, including, at a minimum, rapport building and interviewing techniques.

(c) (1) If the results of the appraisal indicate that the individual may face barriers that impair their ability to participate in work activities, the county shall refer the recipient for an evaluation and services as described in Section 11325.25, 11325.5, or 11325.8, or may refer the recipient to family stabilization pursuant to Section 11325.24.

(2) If information obtained from the appraisal indicates that the individual qualifies for an exemption from welfare-to-work requirements, the county shall apply the exemption, pursuant to subdivision (b) of Section 11320.3.

(d) This section shall not apply to individuals subject to Article 3.5 (commencing with Section 11331) during the time that article is operative.

SEC. 15. Section 11325.22 of the Welfare and Institutions Code is amended to read:

11325.22. (a) (1) Following the appraisal required by Section 11325.2, all participants except those described in paragraph (4) of this subdivision or those who are participating in other activities or assessment pursuant to Section 11320.1, shall be assigned to participate for a period of up to four consecutive weeks in job search activities. These activities may include the use of job clubs to identify the participant's qualifications. The county shall consider the skills and interests of the participants in developing a job search strategy. The period of job search activities may be shortened if the participant and the county agree that further activities would not be beneficial. Job search activities may be shortened for a recipient if the county determines that the recipient will not benefit because they may suffer from an emotional or mental disability that will limit or preclude the recipient's participation under this article.

(2) Nothing in this section shall require participation in job search activities, the schedule for which interferes with unsubsidized employment or participation pursuant to Section 11325.23.

(3) Job search activities may be required in excess of the limits specified in paragraph (1) on the basis of a review by the county of the recipient's performance during job search to determine whether extending the job search period would result in unsubsidized employment.

(4) A person subject to Article 3.5 (commencing with Section 11331) or subdivision (d) of Section 11320.3 shall not be required, but may be permitted, to participate in job search activities as their first program assignment following appraisal upon earning a high school diploma or its equivalent, if they have not already taken the option to complete these activities as the first program assignment following appraisal.

(b) (1) Upon the completion of job search activities, or a determination that those activities are not required, the participant shall be assigned to one or more of the activities described in Section 11322.6 as needed to attain employment.

(2) (A) The assignment to one or more of the program activities as required in paragraph (1) of this subdivision shall be based on the welfare-to-work plan developed pursuant to an assessment as described in Section 11325.4. The plan shall be based, at a minimum, on consideration of the individual's existing education level, employment experience and relevant employment skills, available program resources, and local labor market opportunities.

(B) An assessment pursuant to Section 11325.4 shall be performed upon completion of job search activities or at such time as it is determined that job search will not be beneficial.

(C) Notwithstanding subparagraphs (A) and (B), an assessment shall not be required to develop a welfare-to-work plan for a person who is participating in an approved self-initiated program pursuant to Section 11325.23 unless the county determines that an assessment is necessary to meet the hours specified in Section 11325.23.

(3) A participant who lacks basic literacy or mathematics skills, a high school diploma or general educational development certificate, or English language skills, shall be assigned to participate in adult basic education as described in subdivision (k) of Section 11322.6, as appropriate and necessary for removal of the individual's barriers to employment.

(4) Participation in activities assigned pursuant to this section may be sequential or concurrent. The county may require concurrent participation in the assigned activities if it is appropriate to the participant's abilities, consistent with the participant's welfare-to-work plan, and the activities can be concurrently scheduled.

(5) The participant has 30 days from the beginning of the initial training or education assignment in which to request a change or reassignment to another component. The county shall grant the participant's request for reassignment if another assignment is available that is consistent with the participant's welfare-to-work plan and the county determines the other assignment will readily lead to employment. This grace period shall be available only once to each participant.

(c) Any assignment or change in assignment to a program activity pursuant to this section shall be included in the welfare-to-work plan, or an amendment to the plan, as required in Section 11325.21.

(d) A participant who has not obtained unsubsidized employment upon completion of the activities in a welfare-to-work plan developed pursuant to the job search activities required by subdivision (a) and an assessment required by subdivision (b) shall be referred to reappraisal as described in Section 11326.

(e) The criteria for successful completion of an assigned education or training activity shall include regular attendance, satisfactory progress, and completion of the assignment. A person who fails or refuses to comply with program requirements for participation in the activities assigned pursuant to this section shall be subject to Sections 11327.4 and 11327.5.

(f) Except as provided in paragraph (4) of subdivision (a), this section shall not apply to individuals subject to Article 3.5 (commencing with Section 11331) during the time that article is operative.

(g) This section shall become inoperative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, as added by the act that added this subdivision, and, as of January 1 of the following year, is repealed.

SEC. 16. Section 11325.22 is added to the Welfare and Institutions Code, to read:

11325.22. (a) Participation in activities assigned pursuant to this section may be sequential or concurrent. The county may require concurrent participation in the assigned activities if it is appropriate to the participant's abilities, consistent with the participant's welfare-to-work plan, and the activities can be concurrently scheduled.

(b) The participant has 30 days from the beginning of the initial training or education assignment in which to request a change or reassignment to another component. The county shall grant the participant's request for reassignment if another assignment is available that is consistent with the participant's welfare-to-work plan and the county determines the other assignment will readily lead to employment. This grace period shall be available only once to each participant.

(c) Any assignment or change in assignment to a program activity pursuant to this section shall be included in the welfare-to-work plan, or an amendment to the plan, as required in Section 11325.21.

(d) This section shall not apply to individuals subject to Article 3.5 (commencing with Section 11331) during the time that article is operative.

(e) This section shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to

implement this section.

SEC. 17. Section 11325.4 of the Welfare and Institutions Code is amended to read:

11325.4. (a) Upon referral to assessment, a participant shall work with the county welfare department to develop and agree on a welfare-to-work plan on the basis of an assessment of the individual's skills and needs. The assessment shall include at least all of the following:

- (1) The participant's work history and an inventory of their employment skills, knowledge, and abilities.
- (2) The participant's educational history and present educational competency level.
- (3) The participant's need for supportive services in order to obtain the greatest benefit from the employment and training services offered under this article.
- (4) An evaluation of the chances for employment given the current skills of the participant and the local labor market conditions.
- (5) Local labor market information.
- (6) Physical limitations or mental conditions that limit the participant's ability for employment or participation in welfare-to-work activities.

(b) The county may contract with outside parties, including local educational agencies and service delivery areas, to provide the assessment.

(c) (1) Notwithstanding the procedures set forth in Chapter 7 (commencing with Section 10950) of Part 2, if the participant and assessor are unable to reach agreement on the welfare-to-work plan, the matter shall be referred by the county for an independent assessment by an impartial third party. The results of this assessment, which shall be binding upon the county and the participant, shall be used to develop the appropriate plan for the participant.

(2) No third party assessment under this subdivision shall be made by a party having any financial or other interest in the result of the assessment. The party making the assessment shall be selected by the county according to an unbiased procedure.

(d) This section shall not apply to individuals subject to Article 3.5 (commencing with Section 11331) during the time that article is operative.

(e) This section shall become inoperative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, as added by the act that added this subdivision, and, as of January 1 of the following year, is repealed.

SEC. 18. Section 11325.4 is added to the Welfare and Institutions Code, to read:

11325.4. (a) An assessment shall be available upon completion of orientation and appraisal pursuant to Section 11320.1. An assessment evaluates the participants' strengths and skills to assist them in choosing the activities they wish to include in their welfare-to-work plan. At the participant's option, this assessment may incorporate the Online CalWORKs Appraisal Tool, and shall include at least all of the following:

- (1) The participant's work history and an inventory of their employment skills, knowledge, and abilities.
- (2) The participant's educational history and present educational competency level.
- (3) The participant's need for supportive and barrier removal services in order to obtain the greatest benefit from the employment and training services offered under this article.
- (4) An evaluation of the chances for employment given the current skills of the participant and the local labor market conditions.
- (5) Local labor market information.
- (6) Physical limitations or mental conditions that limit the participant's ability for employment or participation in welfare-to-work activities.

(b) Counties may contract with outside parties, including local educational agencies and service delivery areas to perform all or part of the assessment.

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this section

by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(d) This section shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section.

SEC. 19. Section 11325.6 of the Welfare and Institutions Code is repealed.

SEC. 20. Section 11326 of the Welfare and Institutions Code is repealed.

SEC. 21. Section 11327.4 of the Welfare and Institutions Code is amended to read:

11327.4. (a) (1) Whenever an individual has failed or refused to comply with program requirements without good cause in a program component to which they are assigned and refuses to agree to or fails, without good cause, to comply with a compliance plan agreed to between the county and the participant, the individual shall be subject to sanctions specified in Section 11327.5.

(2) For the purposes of this article, the phrase "failed or refused to comply with program requirements" shall be limited to: failing or refusing to sign a welfare-to-work plan, participate or provide required proof of satisfactory progress in any assigned program activity, pursuant to this article, including self-initiated programs described in Section 11325.23 or accept employment; terminating employment; or reducing earnings.

(b) (1) Upon determination that an individual has failed or refused to comply with program requirements, the county shall issue a notice of action effective no earlier than 30 calendar days from the date of issuance informing the individual that a sanction will be imposed if the individual fails to either attend an appointment scheduled by the county to be held within 20 calendar days of the notice, or contact the county by phone, within 20 calendar days of the notice, and fails to do either of the following:

(A) Provide information to the county that they had good cause for the refusal or failure that has led the county to make a finding of good cause for nonparticipation.

(B) Agree to a compliance plan to correct the failure or refusal to comply.

(2) The county shall schedule a time during which each individual who has failed or refused to comply with program requirements has an opportunity to demonstrate that they had good cause for that refusal or failure. The county shall schedule an appointment within 20 calendar days of the notice of action. The individual shall be allowed to reschedule the cause determination appointment at least once within the 20-calendar-day period.

(3) The written notice of action sent by the county shall do all of the following:

(A) Inform the individual of the specific act or acts that have caused the individual to be out of compliance with participation requirements.

(B) Inform the individual of their right to assert good cause for their refusal or failure.

(C) Inform the individual of the date and time of the scheduled appointment.

(D) Provide a general definition of good cause and examples of reasons that constitute good cause for not participating in the program.

(E) Inform the individual of the right to contact the county welfare department by telephone to establish good cause over the telephone in lieu of attending the appointment scheduled by the county.

(F) Inform the individual of the right to reschedule the appointment once within the 20-calendar-day period.

(G) Inform the individual that if good cause is not found, a compliance plan will be developed and the individual will be expected to agree to the plan or face a sanction.

(H) Inform the individual of the name, telephone number, and address of state and local legal aid and welfare rights organizations that may assist the individual with the good cause and compliance plan process.

(I) Describe the transportation and child care services that a person is entitled to, as needed in order to attend the appointment.

(c) If the individual fails to attend the appointment, the county shall attempt to contact the individual by telephone at the time of or after the appointment in order to establish a finding of good cause or no good cause, and, if a finding of no good cause is made, develop a compliance plan to correct the instance of nonparticipation.

(d) If the individual fails to attend the meeting and the county is not able to contact the individual in accordance with subdivision (c), and the individual fails to contact the county within the 20-calendar-day period, a sanction shall be imposed in accordance with Section 11327.5.

(e) If the individual attends the appointment or contacts the county by phone within the 20-calendar-day period and is either found by the county to have had good cause for their refusal or failure, or agrees to a compliance plan to correct the failure or refusal, the county shall rescind the notice of action issued pursuant to subdivision (b). If the individual agrees to a compliance plan at the appointment, the individual shall be provided a copy of the plan. If the individual agrees to a compliance plan over the telephone, a copy of the plan shall be mailed to the client.

(f) If the individual is found by the county to have had good cause for their refusal or failure, an instance of noncompliance shall not be considered to have occurred.

(g) If the individual is found by the county not to have had good cause, but agrees to a compliance plan and then fulfills the terms of the compliance plan, an instance of noncompliance shall not be considered to have occurred.

(h) If the individual enters into a written compliance plan, but does not fulfill the terms of the plan, and the county determines, based on available information, that the individual did not have good cause for failure to meet the terms of the plan, the county shall send a notice of action to impose a sanction. The procedures specified in subdivision (b) shall not be applicable to a sanction imposed under this subdivision.

SEC. 22. Section 11327.41 is added to the Welfare and Institutions Code, immediately following Section 11327.4, to read:

11327.41. (a) Notwithstanding any other law, a person shall not be subject to the sanctions specified in Section 11327.5 unless the county verifies that the person had childcare available at the time they were supposed to participate in a specified welfare-to-work activity.

(b) Prior to imposing sanctions pursuant to Section 11327.5, the county shall confirm that it provided the participant a request form and the reimbursement rules for childcare supportive services and that, if eligible for childcare supportive services, the participant had secured childcare.

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this section by means of all-county letters or similar written instructions from the department until regulations are adopted. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations.

(d) This section shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or on the date the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section.

SEC. 23. Section 11327.5 of the Welfare and Institutions Code is amended to read:

11327.5. (a) Sanctions shall be imposed in accordance with subdivision (b) or (c), as appropriate, if an individual has failed or refused to comply with program requirements without good cause and conciliation efforts, as described in Section 11327.4, have failed.

(b) (1) The sanctions provided for in subdivisions (c) and (d) shall not apply to an individual who is exempt from the requirements of this article but is voluntarily participating in the program. If that individual engages in conduct that would bring about the actions provided for in subdivisions (c) and (d), except for their status as a voluntary program participant, the individual shall not be given priority so long as other individuals are actively seeking to participate.

(2) Within the first 90 days after an individual is determined eligible for aid, the sanctions provided for in subdivisions (c) and (d) shall not apply.

(c) Financial sanctions for failing or refusing to comply with program requirements without good cause shall cause a reduction in the family's grant by removing the noncomplying family member from the assistance unit for a period of time specified in subdivision (d).

(1) For families that qualify for aid due to unemployment of the family's primary wage earner, the sanctioned parent shall be removed from the assistance unit. Unless the spouse or the family's second parent meets the provisions of subparagraph (A) of paragraph (2), if the sanctioned parent's spouse or the family's second parent is not participating in the program, both the sanctioned parent and the spouse or second parent shall be removed from the assistance unit. The county shall notify the spouse of the noncomplying participant or second parent in writing at the commencement of conciliation of their own opportunity to participate and the impact on sanctions of that participation.

(2) (A) Except as provided in subparagraph (B), exemption criteria specified in Section 11320.3, conciliation specified in Section 11327.4, and good cause criteria specified in Section 11320.31 and subdivision (f) of Section 11320.3 shall apply to the sanctioned parent's spouse or the family's second parent.

(B) Exemption criteria specified in paragraphs (5) and (6) of subdivision (b) of Section 11320.3 do not apply to a spouse or second parent who is participating to avoid the sanction of the noncomplying parent.

(C) If the sanctioned parent's spouse or the family's second parent chooses to participate to avoid the noncomplying parent's sanction, subsequently fails or refuses to participate without good cause, and does not conciliate, they shall be removed from the assistance unit for a period of time specified in subdivision (d).

(D) If the sanctioned parent's spouse or the family's second parent is under their own sanction at the time of the first parent's sanction, the spouse or second parent shall not be provided the opportunity to avoid the first parent's sanction until the spouse or second parent's sanction is completed.

(3) For families that qualify due to the absence or incapacity of a parent, only the noncomplying parent shall be removed from the assistance unit.

(4) If the noncomplying individual is the only dependent child in the family, their needs shall not be taken into account in determining the family's need for assistance and the amount of the assistance payment.

(5) If the noncomplying individual is one of several dependent children in the family, their needs shall not be taken into account in determining the family's need for assistance and the amount of the assistance payment.

(d) (1) An instance of noncompliance without good cause shall result in a financial sanction. This sanction shall terminate at any point if the noncomplying participant indicates to the county verbally or in writing that they want to cure their sanction and that they want to begin participating in welfare-to-work activities, or at any point the county verifies or otherwise discovers that, based on the most recent documentation available, the individual is or has been meeting the federally required minimum average number of hours per week of welfare-to-work participation as set forth in Section 607 of Title 42 of the United States Code. If the participant wants to change their assigned activities, the county and the participant shall agree verbally or in writing to a new or amended welfare-to-work plan.

(2) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement and administer the changes made to this subdivision by the act that added this paragraph, through all-county letters or similar instruction that shall have the same force and effect as regulations until regulations are adopted.

(e) Sanctions shall become effective on the first day of the first payment-month that the sanctioned individual's needs are removed from aid under this chapter.

(f) In the event this section conflicts with federal law, the department shall adopt regulations to conform to federal law.

(g) The changes made to this section by the act that added this subdivision shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or on the date the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement the changes made to this section by the act that added this subdivision.

SEC. 24. Section 11461 of the Welfare and Institutions Code is amended to read:

11461. (a) For children or, on and after January 1, 2012, nonminor dependents placed in a licensed or approved family home with a capacity of six or less, or in an approved home of a relative or nonrelated legal guardian, or the approved home of a nonrelative extended family member, as described in Section 362.7, or, on and after January 1, 2012, a supervised independent living placement, as defined in subdivision (w) of Section 11400, the per child per month basic rates in the following schedule shall be in effect for the period July 1, 1989, through December 31, 1989:

Age	Basic rate
0–4	\$ 294
5–8	\$ 319
9–11	\$ 340
12–14	\$ 378
15–20	\$ 412

(b) (1) Any county that, as of October 1, 1989, has in effect a basic rate that is at the levels set forth in the schedule in subdivision (a), shall continue to receive state participation, as specified in subdivision (c) of Section 15200, at these levels.

(2) Any county that, as of October 1, 1989, has in effect a basic rate that exceeds a level set forth in the schedule in subdivision (a), shall continue to receive the same level of state participation as it received on October 1, 1989.

(c) The amounts in the schedule of basic rates in subdivision (a) shall be adjusted as follows:

(1) Effective January 1, 1990, the amounts in the schedule of basic rates in subdivision (a) shall be increased by 12 percent.

(2) Effective May 1, 1990, any county that did not increase the basic rate by 12 percent on January 1, 1990, shall do both of the following:

(A) Increase the basic rate in effect December 31, 1989, for which state participation is received by 12 percent.

(B) Increase the basic rate, as adjusted pursuant to subparagraph (A), by an additional 5 percent.

(3) (A) Except as provided in subparagraph (B), effective July 1, 1990, for the 1990–91 fiscal year, the amounts in the schedule of basic rates in subdivision (a) shall be increased by an additional 5 percent.

(B) The rate increase required by subparagraph (A) shall not be applied to rates increased May 1, 1990, pursuant to paragraph (2).

(4) Effective July 1, 1998, the amounts in the schedule of basic rates in subdivision (a) shall be increased by 6 percent. Notwithstanding any other law, the 6-percent increase provided for in this paragraph shall, retroactive to July 1, 1998, apply to every county, including any county to which paragraph (2) of subdivision (b) applies, and shall apply to foster care for every age group.

(5) Notwithstanding any other law, any increase that takes effect after July 1, 1998, shall apply to every county, including any county to which paragraph (2) of subdivision (b) applies, and shall apply to foster care for every age group.

(6) The increase in the basic foster family home rate shall apply only to children placed in a licensed foster family home receiving the basic rate or in an approved home of a relative or nonrelative extended family member, as described in Section 362.7, a supervised independent living placement, as defined in subdivision (w) of Section 11400, or a nonrelated legal guardian receiving the basic rate. The increased rate shall not be used to compute the monthly amount that may be paid to licensed foster family agencies for the placement of children in certified foster homes.

(d) (1) (A) Beginning with the 1991–92 fiscal year, the schedule of basic rates in subdivision (a) shall be adjusted by the percentage changes in the California Necessities Index, computed pursuant to the methodology described in Section 11453, subject to the availability of funds.

(B) In addition to the adjustment in subparagraph (A) effective January 1, 2000, the schedule of basic rates in subdivision (a) shall be increased by 2.36 percent rounded to the nearest dollar.

(C) Effective January 1, 2008, the schedule of basic rates in subdivision (a), as adjusted pursuant to subparagraph (B), shall be increased by 5 percent, rounded to the nearest dollar. The increased rate shall not be used to compute the monthly amount that may be paid to licensed foster family agencies for the placement of children in certified foster family homes, and shall not be used to recompute the foster care maintenance payment that would have been paid based on the age-related, state-approved foster family home care rate and any applicable specialized care increment, for any adoption assistance agreement entered into prior to October 1, 1992, or in any subsequent reassessment for adoption assistance agreements executed before January 1, 2008.

(2) (A) Any county that, as of the 1991–92 fiscal year, receives state participation for a basic rate that exceeds the amount set forth in the schedule of basic rates in subdivision (a) shall receive an increase each year in state participation for that basic rate of one-half of the percentage adjustments specified in paragraph (1) until the difference between the county's adjusted state participation level for its basic rate and the adjusted schedule of basic rates is eliminated.

(B) Notwithstanding subparagraph (A), all counties for the 1999–2000 fiscal year and the 2007–08 fiscal year shall receive an increase in state participation for the basic rate of the entire percentage adjustment described in paragraph (1).

(3) If a county has, after receiving the adjustments specified in paragraph (2), a state participation level for a basic rate that is below the amount set forth in the adjusted schedule of basic rates for that fiscal year, the state participation level for that rate shall be further increased to the amount specified in the adjusted schedule of basic rates.

(e) (1) As used in this section, "specialized care increment" means an amount paid on behalf of a child requiring specialized care to a home listed in subdivision (g) in addition to the rates set forth in subdivisions (g) and (h). Notwithstanding subdivision (g), the specialized care increment shall not be paid to a nonminor dependent placed in a supervised independent living placement as defined in subdivision (w) of Section 11400. A county or tribe that has entered into a Title IV-E intergovernmental agreement pursuant to Section 10553.1 may have a ratesetting system for specialized care to pay for the additional care and supervision needed to address the behavioral, emotional, and physical requirements of foster children. A county or tribe that has entered into a Title IV-E intergovernmental agreement pursuant to Section 10553.1 may modify its specialized care rate system as needed, to accommodate changing specialized placement needs of children.

(2) (A) The department shall have the authority to review the county's or tribe's specialized care information, including the criteria and methodology used for compliance with state and federal law, and to require changes if necessary to conform to state and federal law.

(B) The department shall make available to the public each county's or tribe's specialized care information, including the criteria and methodology used to determine the specialized care increments.

(3) Upon a request by a county or tribe that has entered into a Title IV-E intergovernmental agreement pursuant to Section 10553.1 for technical assistance, specialized care information shall be provided by the department within 90 days of the request to the department.

(4) (A) Except for subparagraph (B), beginning January 1, 1990, specialized care increments shall be adjusted in accordance with the methodology for the schedule of basic rates described in subdivision (g).

(B) Notwithstanding subdivision (e) of Section 11460, for the 1993–94 fiscal year, an amount equal to 5 percent of the State Treasury appropriation for family homes shall be added to the total augmentation for the AFDC-FC program in order to provide incentives and assistance to counties in the area of specialized care. This appropriation shall be used, but not limited to, encouraging counties to implement or expand specialized care payment systems, to recruit and train foster parents for the placement of children with specialized care needs, and to develop county systems to encourage the placement of children in family homes. It is the intent of the Legislature that in the use of these funds, federal financial participation shall be claimed whenever possible.

(C) (i) Notwithstanding subparagraph (A), the specialized care increment shall not receive a cost-of-living adjustment in the 2011–12 or 2012–13 fiscal years.

(ii) Notwithstanding clause (i), a county may choose to apply a cost-of-living adjustment to its specialized care increment during the 2011–12 or 2012–13 fiscal years. To the extent that a county chooses to apply a cost-of-living adjustment during that time, the state shall not participate in the costs of that adjustment.

(iii) To the extent that federal financial participation is available for a cost-of-living adjustment made by a county pursuant to clause (ii), it is the intent of the Legislature that the federal funding shall be utilized.

(5) Beginning in the 2011–12 fiscal year, and for each fiscal year thereafter, funding and expenditures for programs and activities under this subdivision shall be in accordance with the requirements provided in Sections 30025 and 30026.5 of the Government Code.

(f) (1) As used in this section, "clothing allowance" means the amount paid by a county, at the county's option, in addition to the rates set forth in subdivisions (g) and (h) for the provision of additional clothing for a child, including, but not limited to, an initial supply of clothing and school or other uniforms. The frequency and level of funding shall be based on the needs of the child, as determined by the county.

(2) The state shall no longer participate in any clothing allowance in addition to the basic rate, commencing with the 2011–12 fiscal year.

(g) (1) Notwithstanding subdivisions (a) to (d), inclusive, for a child, or on and after January 1, 2012, a nonminor dependent, placed in a licensed foster family home or with a resource family, or placed in a tribally approved home as defined in Section 224.1, or placed in an approved home of a relative or the approved home of a nonrelative extended family member as described in Section 362.7, or placed on and after January 1, 2012, in a supervised independent living placement, as defined in subdivision (w) of Section 11400, the per child per month basic rate in the following schedule shall be in effect for the period commencing July 1, 2011, or the date specified in the final order, for which the time to appeal has passed, issued by a court of competent jurisdiction in California State Foster Parent Association v. William Lightbourne, et al. (U.S. Dist. Ct. C 07-08056 WHA), whichever is earlier, through June 30, 2012:

Age	Basic rate
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0–4	\$ 609
5–8	\$ 660
9–11	\$ 695
12–14	\$ 727
15–20	\$ 761

(2) Commencing July 1, 2011, the basic rate set forth in this subdivision shall be annually adjusted on July 1 by the annual percentage change in the California Necessities Index applicable to the calendar year within which each July 1 occurs.

(3) Subdivisions (e) and (f) shall apply to payments made pursuant to this subdivision.

(4) (A) (i) For the 2016–17 fiscal year, the department shall develop a basic rate in coordination with the development of the foster family agency rate authorized in Section 11463 that ensures a child placed in a home-based setting described in paragraph (1), and a child placed in a certified family home or with a resource family approved by a foster family agency, is eligible for the same basic rate set forth in this paragraph.

(ii) The rates developed pursuant to this paragraph shall not be lower than the rates proposed as part of the Governor's 2016 May Revision.

(iii) Unless the Tiered Rate Structure established in subdivision (h) applies to a child or nonminor dependent, a certified family home of a foster family agency shall be paid the basic rate set forth in this paragraph only through December 31, 2028, or 24 months from the date required under paragraph (9) of subdivision (h), whichever is later.

(B) The basic rate paid to either a certified family home or a resource family approved by a foster family agency shall be paid by the agency to the certified family home or resource family from the rate that is paid to the agency pursuant to Section 11463.

(C) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the basic rates and the manner in which they are determined shall be set forth in written directives until regulations are adopted.

(D) The basic rates set forth in written directives or regulations pursuant to subparagraph (C) shall become inoperative on January 1, 2029, or 24 months from the date required under paragraph (9) of subdivision (h) of this section, whichever is later.

(5) (A) (i) Subject to an appropriation in the annual Budget Act, the rate paid for a nonminor dependent placed in a supervised independent living placement in California, as defined in subdivision (w) of Section 11400, shall be supplemented with a housing supplement, which shall be calculated by the department as the difference between one-half of the federal fiscal year 2023 fair market rent for a two-bedroom apartment in the county in which the nonminor resides and 30 percent of the rate established pursuant to paragraphs (1) to (4), inclusive, of this subdivision.

(ii) A nonminor dependent shall not receive a monthly rate less than the rate established pursuant to paragraphs (1) to (4), inclusive, of this subdivision.

(B) The supplement pursuant to subparagraph (A) shall commence on July 1, 2025, or when the department notifies the Legislature that the Statewide Automated Welfare System (CalSAWS) can perform the necessary automation to implement it, whichever is later.

(C) The monthly housing supplement payment made pursuant to this section shall be added to the rate paid to a nonminor dependent placed in a supervised independent living placement and shall be prorated based on the number of days in a month the nonminor dependent was in the placement eligible for the supplement. Notwithstanding Section 11466.24, overpayments shall not be collected on the housing supplement pursuant to this paragraph.

(D) The department shall work with the County Welfare Directors Association of California and the CalSAWS to develop and implement the necessary system changes to implement the housing supplement provided pursuant to subparagraph (A).

(E) Consistent with the implementation timeline in subparagraph (B), the department shall annually calculate the housing supplement described in this paragraph by November 1 of each year and shall inform the CalSAWS of the amount of the supplement by means of all-county letters or similar written instructions. The department shall annually inform county welfare agencies in the month of July of the following year of the amount of the supplement by means of all-county letters or similar written instructions.

(F) For purposes of this paragraph, "fair market rent" means the federal fiscal year 2023 rent calculated for the fair market rent system developed by the United States Department of Housing and Urban Development for use in determining the allowable rent level for an individual who participates in the Housing Choice Voucher program, including the cost of housing and utilities, except for telephone, cable, and internet, and is calculated for each county by the United States Department of Housing and Urban Development.

(h) Unless otherwise specified by law, and except as provided in paragraphs (6) to (8), inclusive, in accordance with the schedules provided in paragraph (4) and Sections 16562 and 16565, the per child per month rate for every child in foster care shall be based on the Tiered Rate Structure as set forth in this subdivision.

(1) The following definitions shall apply for purposes of the Tiered Rate Structure established in this section:

(A) "Integrated Practice-Child and Adolescent Needs and Strengths" or "IP-CANS" means a validated functional assessment tool that supports decisionmaking and allows for the monitoring of outcomes and services, assesses the well-being of children through the identification of their strengths and needs, and determines their tier as part of the Tiered Rate Structure established in this subdivision.

(B) "Tiered Rate Structure" means the framework that establishes a rate structure consisting of three tiers developed by the department based on a statistical analysis of the IP-CANS assessment of California foster children. The tier levels are designed to address the levels of care and needs of the children in each tier regardless of their placement setting.

(2) The Tiered Rate Structure shall consist of the following three components:

(A) An amount paid to the foster care provider in return for care and supervision, as defined in subdivision (b) of Section 11460.

(B) Strengths Building Funding to provide for a child's strengths building objectives, as identified by the IP-CANS, paid pursuant to the Strengths Building Child and Family Determination Program established in Section 16565.

(C) Immediate Needs Funding to provide for a child's immediate needs as identified by the IP-CANS, paid pursuant to the Immediate Needs Program established in Section 16562.

(3) As the Care and Supervision component of the Tiered Rate Structure, foster care providers shall be paid a per child per month rate in return for care and supervision, as defined in subdivision (b) of Section 11460, excluding paragraphs (1) and (2) of that subdivision, based on the child's tier established by the results of the child's IP-CANS assessment, as follows:

Tier 1: \$1788

Tier 2: \$3490

Tier 3: \$6296 [Ages 0-5]

Tier 3+: \$6296 [Ages 6+]

(4) The components of the Tiered Rate Structure described in paragraph (2) shall be phased in as follows:

(A) (i) For new entries or reentries into foster care, as defined by the department, beginning on the date required by paragraph (9), the components of the Tiered Rate Structure shall be effective on the date on which the IP-CANS assessment is completed and entered into the statewide child welfare information system, as prescribed by Section 16560, or 60 days after the child enters or reenters foster care, whichever comes first.

(ii) A rate of two thousand five hundred dollars (\$2500) for the Care and Supervision component, as set forth in paragraph (3), shall be paid pending completion and entry into the statewide child welfare information system of the IP-CANS assessment to determine the child's tier, as prescribed by Section 16560. This rate shall be referred to as the "entry rate."

(iii) Provided all state and federal rate and licensing requirements are met, the entry rate for a child or nonminor dependent placed with a foster family agency or short-term residential therapeutic program shall also include a rate of one thousand six hundred ten dollars (\$1,610) for administrative and other activities, as set forth in paragraphs (1) and (2) of subdivision (b) of Section 11460.

(iv) Beginning July 1, 2028, the entry rate shall be annually adjusted on July 1 by the annual percentage change in the California Necessities Index that applies to the year in which the annual adjustment is made.

(v) If the IP-CANS assessment is not completed and entered into the statewide child welfare information system within 60 days of a child's entry or reentry into foster care, the components of the Tiered Rate Structure shall be effective retroactive to 60 days after the child enters or reenters foster care.

(B) For all other children in foster care placement on July 1, 2027, the components of the Tiered Rate Structure as set forth in paragraph (2) shall be paid consistent with the child's tier as determined by the child's IP-CANS assessment, pursuant to a schedule to be determined by the department, and developed in collaboration with county placing agencies, tribes, and stakeholders, but in no case later than January 1, 2029, or 24 months from the date required under paragraph (9), whichever is later.

(5) Beginning July 1, 2028, and on July 1 of each fiscal year thereafter, the rate set forth in paragraph (3) shall be annually adjusted by the annual percentage change in the California Necessities Index applicable to the calendar year within which each July 1 occurs.

(6) Notwithstanding paragraph (3), the following care and supervision rates shall apply in the following settings:

(A) The care and supervision rate paid on behalf of a child or nonminor dependent placed in a setting described in subdivision (d) of Section 11402 shall be the rate set forth in Section 11403.3.

(B) The rate paid for a nonminor dependent placed in a setting described in subdivision (w) of Section 11400 shall be the rate set forth in paragraphs (4) and (5) of subdivision (g). Beginning July 1, 2027, or on the date required under paragraph (9), whichever is later, the rate paid shall consist of the sum of the following:

(i) A rate equivalent to Tier 1 of the care and supervision rate in paragraph (3) inclusive of any annual adjustments described in paragraph (5).

(ii) A rate equivalent to Tier 1 of the Strengths Building Funding set forth in paragraph (1) of subdivision (d) of Section 16565.

(iii) Subject to an appropriation in the annual Budget Act, the housing supplement described in paragraph (5) of subdivision (g), if applicable.

(C) The rate paid on behalf of a child or nonminor dependent placed in a setting described in subdivision (h) of Section 11402 shall be the rate established by the State Department of Developmental Services.

(D) Notwithstanding any other law, children and nonminor dependents who are both regional center consumers and recipients of Aid to Families With Dependent Children-Foster Care (AFDC-FC) or the Approved Relative Caregiver Funding Program (ARC) shall be assessed for the dual agency rate and supplement, if applicable, according to subdivision (c) or (d) of Section 11464 or subdivision (b) of Section 11461.3, as applicable, and shall also be separately assessed for the tiered rate described in paragraph (3), plus any applicable county specialized care increment, and receive the rate that is higher. Notwithstanding the higher applicable rate received, regional centers shall separately purchase or secure services contained in the child's or nonminor dependent's Individualized Family Services Plan (IFSP) or Individual Program Plan (IPP) pursuant to Section 4684.

(7) Notwithstanding paragraph (3), the Care and Supervision component shall not apply to a child or nonminor dependent placed in a temporary shelter care facility or transitional shelter care facility.

(8) Notwithstanding paragraphs (1) to (4), inclusive, the Tiered Rate Structure shall not apply to a child whose nonrelated legal guardianship was ordered in probate court pursuant to Article 2 (commencing with Section 1510) of Chapter 1 of Part 2 of Division 4 of the Probate Code.

(9) (A) The three components of the Tiered Rate Structure described in paragraph (2) shall become operative on July 1, 2027, or the date after both of the following events have occurred, whichever is later:

(i) The department notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement the Tiered Rate Structure.

(ii) The Legislature makes an appropriation for the express purpose of implementing this subdivision.

(B) This paragraph shall not be interpreted to cease or delay any funding or action required to perform the automation or other activities necessary to prepare for the implementation of the Tiered Rate Structure.

(10) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this subdivision by means of all-county letters or similar written instructions, which shall be exempt from submission to or

review by the Office of Administrative Law. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations no later than January 1, 2030.

(i) Beginning in the 2011–12 fiscal year, and each fiscal year thereafter, funding and expenditures for programs and activities under this section shall be in accordance with the requirements provided in Sections 30025 and 30026.5 of the Government Code.

SEC. 25. Section 15771 of the Welfare and Institutions Code is amended to read:

15771. (a) Subject to an appropriation of funds for this purpose in the annual Budget Act, the department shall award grants to counties, tribes, or groups of counties or tribes, that provide services to older adults and dependent adults who experience abuse, neglect, self-neglect, or exploitation and otherwise meet the eligibility criteria for adult protective services, for the purpose of providing housing-related supports to eligible individuals.

(b) Notwithstanding subdivision (a), this section does not create an entitlement to housing-related assistance, which is to be provided at the discretion of the grantee as a service to eligible individuals.

(c) (1) It is the intent of the Legislature that housing-related assistance provided pursuant to this chapter utilize evidence-based practices in homeless assistance and prevention, including housing risk screening and assessments, housing first, rapid rehousing, and supportive housing.

(2) Housing-related supports and services available to participating individuals may include, but are not limited to, all of the following:

(A) An assessment of each individual's housing needs, including a plan to assist the individual in meeting those needs, consistent with the case plan, as developed by the adult protective services agency. To the extent feasible, the plan shall be developed in coordination with a multidisciplinary team that may include housing program providers, mental health providers, local law enforcement, legal assistance providers, and others as deemed relevant by the adult protective services agency.

(B) Navigation or search assistance to recruit landlords and assist individuals in locating affordable or subsidized housing.

(C) Enhanced case management, including motivational interviewing and trauma-informed care, to help the individual recover from elder abuse, neglect, or financial exploitation.

(D) Housing-related financial assistance, including rental assistance, security deposit assistance, utility payments, moving cost assistance, and interim housing assistance while housing navigators are actively seeking permanent housing options for the individual.

(E) Housing stabilization services, including ongoing landlord engagement, case management, public systems assistance, legal services, tenant education, eviction protection, credit repair assistance, life skills training, heavy cleaning, and conflict mediation with landlords, neighbors, and families.

(F) If the individual requires supportive housing, referral to the local homeless continuum of care for long-term services promoting housing stability.

(G) Referrals and coordination of services to access mental or behavioral health assistance, as necessary or appropriate.

(d) The department shall provide grants to counties and tribes according to criteria and procedures developed by the department, in consultation with the County Welfare Directors Association of California, tribes, the California Elder Justice Coalition, and the California Commission on Aging. These criteria shall include, but are not limited to, all of the following:

(1) Eligible sources of funds and in-kind contributions to match the grant, as described in paragraph (1) of subdivision (e).

(2) The proportion of funding to be expended on reasonable and appropriate administrative activities, in order to minimize overhead and maximize services.

(3) Tracking and reporting procedures for the program, which shall be conducted as a condition of receiving funds, including, but not limited to, collecting disaggregated data on all of the following:

(A) The number of people determined eligible for the program.

(B) The number of people receiving assistance from the program and the duration of that assistance.

(C) The types of housing assistance received by recipients.

(D) The housing status six months and one year after receiving assistance from the program.

(E) The number of substantiated adult protective services reports six months and one year after receiving assistance from the program.

(e) Grants shall be subject to all of the following requirements:

(1) (A) Except as otherwise provided in subparagraph (B), grantees shall match the funding on a dollar-for-dollar basis, which may be met by cash or in-kind contributions.

(B) Beginning on July 1, 2021, grantees that receive state funds under this chapter shall not be required to match any funding.

(2) Grantees shall demonstrate the extent to which they will attempt to leverage county mental health services funds for participating individuals, and any barriers to leveraging these funds.

(3) Grantees shall agree to actively cooperate with tracking, reporting, and evaluation efforts.

(4) Grantees shall coordinate with the local homeless continuum of care network.

(f) Funding pursuant to this section shall supplement, and not supplant, the level of county or tribal funding spent on these purposes in the 2017–18 fiscal year.

(g) Utilizing the funds appropriated for purposes of this chapter, the department shall, in consultation with the County Welfare Directors Association of California, tribes, the California Elder Justice Coalition, and the California Commission on Aging, enter into a contract with an independent evaluation and research agency to evaluate the impacts of the program, which may include, but are not limited to, the following:

(1) The likelihood of future homelessness and housing instability among recipients.

(2) The likelihood of future instances of abuse and neglect among recipients.

(3) Program costs and benefits.

(h) This chapter shall not be construed to require a tribe, or tribal entity or agency, to comply with Chapter 13 (commencing with Section 15750) of this part, including, but not limited to, the requirement to establish a county adult protective services system or an emergency response adult protective services program.

(i) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this chapter through all-county letters without taking regulatory action.

SEC. 26. Section 16501 of the Welfare and Institutions Code is amended to read:

16501. (a) (1) As used in this chapter, “child welfare services” means public social services that are directed toward the accomplishment of any or all of the following purposes:

(A) Protecting and promoting the welfare of all children, including disabled, homeless, dependent, or neglected children.

(B) Preventing or remedying, or assisting in the solution of problems that may result in, the neglect, abuse, exploitation, or delinquency of children.

(C) Preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing breakup of the family where the prevention of child removal is desirable and possible.

(D) Restoring to their families children who have been removed, by the provision of services to the child and the families.

(E) Identifying children to be placed in suitable adoptive homes, in cases where restoration to the biological family is not possible or appropriate.

(F) Ensuring adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption.

(2) “Child welfare services” also means services provided on behalf of children alleged to be the victims of child abuse, neglect, or exploitation. The child welfare services provided on behalf of each child represent a continuum of services, including emergency response services, family preservation services, family maintenance services, family reunification services, and

permanent placement services, including supportive transition services. The individual child's case plan is the guiding principle in the provision of these services. The case plan shall be developed within a maximum of 60 days of the initial removal of the child or of the in-person response required under subdivision (f) if the child has not been removed from their home, or by the date of the dispositional hearing pursuant to Section 358, whichever comes first.

(3) "Child welfare services" are best provided in a framework that integrates service planning and delivery among multiple service systems, including the mental health system, using a team-based approach, such as a child and family team. A child and family team brings together individuals that engage with the child or youth and family in assessing, planning, and delivering services consistent with paragraph (1) of subdivision (d) of Section 16501.1. Use of a team approach increases efficiency, and thus reduces cost, by increasing coordination of formal services and integrating the natural and informal supports available to the child or youth and family.

(4) "Child and family team" means a group of individuals who are convened by the placing agency and who are engaged through a variety of team-based processes to identify the strengths and needs of the child or youth and their family, and to help achieve positive outcomes for safety, permanency, and well-being. The child and family team shall have the same meaning as the "family and permanency team," as described in Section 675a(c)(1)(B)(ii) of Title 42 of the United States Code.

(A) The activities of the team shall include, but not be limited to, all of the following:

(i) Providing input into the development of a child and family plan that is strengths-based, needs-driven, and culturally relevant.

(ii) Providing input into the placement decision made by the placing agency and the services to be provided in order to support the child or youth.

(iii) On and after October 1, 2021, for a child placed into a short-term residential therapeutic program, providing input into all of the following:

(I) Required determinations by a qualified individual pursuant to subdivision (g) of Section 4096.

(II) Required components of the case plan, including those specified in subparagraph (C) of paragraph (2) of subdivision (d) of Section 16501.1.

(III) Development of the plan for family-based aftercare services described in Section 4096.6.

(iv) Providing input to the placing agency in developing the Immediate Needs Plan for using the Immediate Needs Funding for each child in the Immediate Needs Program established by Section 16562.

(v) Supporting the child and family, as desired by the child and family, by discussing options for goods, services, activities, and supports for the Strengths Building Spending Plan consistent with the Strengths Building Program as described in Section 16565.

(vi) Supporting the child and family with resolving disputes that may arise regarding the selection of goods, services, activities and supports for the Strengths Building Spending Plan under the Strengths Building Program established in Section 16565, as needed.

(B) (i) The child and family team process shall engage the child or youth, the child's family, and other people important to the family or to the child or youth in meeting the objectives set forth in subparagraph (A). The child and family team shall also include representatives who provide formal supports to the child or youth and family when appropriate, including, but not limited to, all of the following:

(I) The caregiver.

(II) The placing agency caseworker.

(III) A representative from a foster family agency or short-term residential therapeutic program with which a child or youth is placed.

(IV) A county mental health representative.

(V) A representative from the regional center if the child is eligible for regional center services.

(VI) The child or youth's Court-Appointed Special Advocate, if one has been appointed, unless the child or youth objects.

(VII) A representative of the child or youth's tribe or Indian custodian, as applicable.

(ii) As appropriate, the child and family team also may include other formal supports, such as substance use disorder treatment professionals and educational professionals, providing services to the child or youth and family. For purposes of this definition, the child and family team also may include extended family and informal support persons, such as friends, coaches, faith-based connections, and tribes as identified by the child or youth and family. If placement into a short-term residential therapeutic program or a foster family agency that provides treatment services has occurred or is being considered, the mental health representative is required to be a licensed mental health professional. Any party to the child's case who is represented by an attorney may consult with their attorney regarding this process. The child or youth and their family may request specific persons to be included on the child and family team. Nothing shall preclude another agency serving the child or youth from convening a team in collaboration with the placing agency.

(5) "Child and family team meeting" means a convening of all or some members of the child and family team. A child and family team meeting may be requested by any member of the child and family team.

(A) Upon the scheduling of a child and family team meeting, a notification shall be provided to the child or youth, their parent or guardian, and the caregiver.

(B) The placing agency shall document the occurrence and summary of the child and family team meeting on the child and family team action plan form developed by the department with any necessary redactions, a copy of which shall be attached to the court report that is prepared pursuant to Section 358.1, 366.1, or 706.5. The department shall issue written guidance identifying the necessary redactions.

(C) (i) The child's court-appointed educational rights holder, if someone other than the parent, guardian, or caregiver, shall be invited to the child and family team meeting if either of the following applies:

(I) The child and family team will develop and implement a placement preservation strategy pursuant to Section 16010.7.

(II) The child and family team will discuss a placement change.

(ii) The child and family team shall discuss if remaining in the school of origin is in the child's best interest.

(iii) Pursuant to, and in accordance with, Section 48853.5 of the Education Code, if the child's educational rights holder determines that remaining in, or returning to, the child's school of origin is in the child's best interest, the child and family team, in consultation with the foster care educational liaison, shall determine an appropriate transportation plan for the child to attend their school of origin and any available extracurricular activities.

(6) Child welfare services may include, but are not limited to, a range of service-funded activities, including case management, counseling, emergency shelter care, emergency in-home caretakers, temporary in-home caretakers, respite care, therapeutic day services, teaching and demonstrating homemakers, parenting training, substance abuse testing, transportation, and specialized permanency services. These service-funded activities shall be available to children and their families in all phases of the child welfare program in accordance with the child's case plan and departmental regulations. Funding for services is limited to the amount appropriated in the annual Budget Act and other available county funds.

(7) Service-funded activities to be provided may be determined by each county, based upon individual child and family needs as reflected in the service plan.

(8) As used in this chapter, "emergency shelter care" means emergency shelter provided to children who have been removed pursuant to Section 300 from their parent or parents or their guardian or guardians. The department may establish, by regulation, the time periods for which emergency shelter care shall be funded. For the purposes of this paragraph, "emergency shelter care" may include "transitional shelter care facilities" as defined in paragraph (11) of subdivision (a) of Section 1502 of the Health and Safety Code.

(9) As used in this chapter, "specialized permanency services" means services to assist a child or nonminor dependent whose case plan is for permanent placement or supportive transition to adulthood in achieving a permanent family through reunification, adoption, legal guardianship, or other lifelong connection to caring adults, including at least one adult who will provide a permanent, parent-like relationship for the child or nonminor dependent. Specialized permanency services are designed for and with the child to address the child's history of trauma, separation, and loss. "Specialized permanency services" may include all of the following:

(A) Medically necessary mental health services, if the medical necessity criteria for Medi-Cal specialty mental health services, as described in Section 1830.205 or 1830.210 of Title 9 of the California Code of Regulations, is met, as needed to ameliorate impairments in significant areas of life functioning that may reduce the likelihood of the child or nonminor dependent achieving a permanent family, and may include other services designed to address the child's or nonminor

dependent's history of trauma, grief, loss, stigma, and rejection that reduce the likelihood of the child or nonminor dependent achieving a permanent family.

(B) Permanency support core services, as appropriate to achieve, stabilize, and sustain the child or nonminor dependent in a permanent family.

(C) Services designed to prepare the identified permanent family to meet the child's or nonminor dependent's needs, set appropriate expectations before and after permanency is achieved, and stabilize the placement.

(b) As used in this chapter, "respite care" means temporary care for periods not to exceed 72 hours, and, in order to preserve the placement, may be extended up to 14 days in any one month pending the development of policies and regulations in consultation with county placing agencies and stakeholders. This care may be provided to the child's parents or guardians. This care shall not be limited by regulation to care over 24 hours. These services shall not be provided for the purpose of routine, ongoing childcare.

(c) The county shall provide child welfare services as needed pursuant to an approved service plan and in accordance with regulations promulgated, in consultation with the counties, by the department. Counties may contract for service-funded activities, as defined in paragraph (1) of subdivision (a). Counties shall not contract for needs assessment, client eligibility determination, or any other activity as specified by regulations of the State Department of Social Services, except as specifically authorized in Section 16100.

(d) This chapter shall not be construed to affect duties that are delegated to probation officers pursuant to Sections 601 and 654.

(e) A county may utilize volunteer individuals to supplement professional child welfare services by providing ancillary support services in accordance with regulations adopted by the State Department of Social Services.

(f) As used in this chapter, emergency response services consist of a response system providing in-person response, 24 hours a day, seven days a week, to reports of abuse, neglect, or exploitation, as required by Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code for the purpose of investigation pursuant to Section 11166 of the Penal Code and to determine the necessity for providing initial intake services and crisis intervention to maintain the child safely in their own home or to protect the safety of the child. County welfare departments shall respond to any report of imminent danger to a child immediately and all other reports within 10 calendar days. An in-person response is not required when the county welfare department, based upon an evaluation of risk, determines that an in-person response is not appropriate. This evaluation includes collateral contacts, a review of previous referrals, and other relevant information, as indicated.

(g) As used in this chapter, family maintenance services are activities designed to provide in-home protective services to prevent or remedy neglect, abuse, or exploitation, for the purposes of preventing separation of children from their families.

(h) As used in this chapter, family reunification services are activities designed to provide time-limited foster care services to prevent or remedy neglect, abuse, or exploitation, when the child cannot safely remain at home, and needs temporary foster care, while services are provided to reunite the family.

(i) (1) As used in this chapter, permanent placement services are activities designed to provide an alternate permanent family structure for children who, because of abuse, neglect, or exploitation, cannot safely remain at home and who are unlikely to ever return home. These services shall be provided on behalf of children for whom there has been a judicial determination of a permanent plan for adoption, legal guardianship, placement with a fit and willing relative, or continued foster care placement, and, as needed, shall include supportive transition services to nonminor dependents, as described in subdivision (v) of Section 11400.

(2) For purposes of this section, "another planned permanent living arrangement" means a permanent plan ordered by the court for a child 16 years of age or older or a nonminor dependent, when there is a compelling reason or reasons to determine that it is not in the best interest of the child or nonminor dependent to return home, be placed for adoption, be placed for tribal customary adoption in the case of an Indian child, or be placed with a fit and willing relative. Placement in a group home, or, on and after January 1, 2017, a short-term residential therapeutic program, shall not be the identified permanent plan for any child or nonminor dependent.

(j) As used in this chapter, family preservation services include those services specified in Section 16500.5 to avoid or limit out-of-home placement of children, and may include those services specified in that section to place children in the least restrictive environment possible.

(k) (1) (A) In any county electing to implement this subdivision, all county welfare department employees who have frequent and routine contact with children shall, by February 1, 1997, and all welfare department employees who are expected to have frequent and routine contact with children and who are hired on or after January 1, 1996, and all such employees whose duties change after January 1, 1996, to include frequent and routine contact with children, shall, if the employees provide services to

children who are alleged victims of abuse, neglect, or exploitation, sign a declaration under penalty of perjury regarding any prior criminal conviction, and shall provide a set of fingerprints to the county welfare director.

(B) The county welfare director shall secure from the Department of Justice a criminal record to determine whether the employee has ever been convicted of a crime other than a minor traffic violation. The Department of Justice shall deliver the criminal record to the county welfare director.

(C) If it is found that the employee has been convicted of a crime, other than a minor traffic violation, the county welfare director shall determine whether there is substantial and convincing evidence to support a reasonable belief that the employee is of good character so as to justify frequent and routine contact with children.

(D) An exemption shall not be granted pursuant to subparagraph (C) if the person has been convicted of a sex offense against a minor, or has been convicted of an offense specified in Section 220, 243.4, 264.1, 273d, 288, or 289 of the Penal Code, or in paragraph (1) of Section 273a of, or subdivision (a) or (b) of Section 368 of, the Penal Code, or has been convicted of an offense specified in subdivision (c) of Section 667.5 of the Penal Code. The county welfare director shall suspend such a person from any duties involving frequent and routine contact with children.

(E) Notwithstanding subparagraph (D), the county welfare director may grant an exemption if the employee or prospective employee, who was convicted of a crime against an individual specified in paragraph (1) or (7) of subdivision (c) of Section 667.5 of the Penal Code, has been rehabilitated as provided in Section 4852.03 of the Penal Code and has maintained the conduct required in Section 4852.05 of the Penal Code for at least 10 years and has the recommendation of the district attorney representing the employee's or prospective employee's county of residence, or if the employee or prospective employee has received a certificate of rehabilitation pursuant to Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code. In that case, the county welfare director may give the employee or prospective employee an opportunity to explain the conviction and shall consider that explanation in the evaluation of the criminal conviction record.

(F) If criminal record information has not been recorded, the county welfare director shall cause a statement of that fact to be included in that person's personnel file.

(2) For purposes of this subdivision, a conviction means a plea or verdict of guilty or a conviction following a plea of nolo contendere. An action that the county welfare director is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, notwithstanding a subsequent order pursuant to Sections 1203.4 and 1203.4a of the Penal Code permitting the person to withdraw their plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment. For purposes of this subdivision, the record of a conviction, or a copy thereof certified by the clerk of the court or by a judge of the court in which the conviction occurred, shall be conclusive evidence of the conviction.

(I) (1) Consistent with Section 675a(c)(1)(D) of Title 42 of the United States Code, "qualified individual" means a trained professional or licensed clinician responsible for conducting the determination described in subdivision (g) of Section 4096 and determining the most effective and appropriate placement for a child. In the case of an Indian child, as defined in Section 224.1, a person may be designated by the child's tribe as the qualified individual pursuant to this subdivision and as defined in subdivision (c) of Section 224.6. In the absence of that designation, the qualified individual shall have specialized knowledge of, training about, or experience with, tribes and the federal Indian Child Welfare Act of 1978 (25 U.S.C. Sec. 1901 et seq.).

(2) Except as provided in paragraph (3), the qualified individual shall not be an employee of the IV-E agency and shall not be connected to, or affiliated with, any placement setting in which the IV-E agency places children.

(3) (A) The department shall seek approval from the Secretary of the United States Department of Health and Human Services for authorization to permit employees of the IV-E agency or an individual connected to, or affiliated with, a placement setting to serve as the qualified individual who conducts the assessment described in subdivision (g) of Section 4096. A request for approval shall describe the process through which the department may certify that an employee of a Title IV-E agency, or individual connected to or affiliated with a placement setting, and designated as a qualified individual will maintain objectivity in conducting the assessment and determination of the most effective and appropriate placement for a child or nonminor dependent.

(B) Any process developed pursuant to subparagraph (A) shall be developed jointly with the State Department of Health Care Services and in consultation with the State Department of Developmental Services, the State Department of Education, county child welfare, probation, and behavioral health agencies, and other interested stakeholders.

(C) If approval is granted, the department and the State Department of Health Care services shall issue joint instructions to counties regarding the process for the department to approve a joint request and plan submitted to the department by a

county placing agency and behavioral health plan to permit an individual who is an employee of a Title IV-E agency or connected to, or affiliated with, a IV-E placement setting to serve as a qualified individual.

(4) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this subdivision by means of all-county letters or similar instructions from the department until regulations are adopted. These all-county letters or similar written instructions shall have the same force and effect as regulations until the adoption of regulations.

SEC. 27. Section 16504 of the Welfare and Institutions Code is amended to read:

16504. (a) Any child reported to the county child welfare services department to be endangered by abuse, neglect, or exploitation shall be eligible for initial intake and evaluation of risk services. Each county child welfare services department shall maintain and operate a 24-hour response system. An immediate in-person response shall be made by a county child welfare services department social worker in emergency situations in accordance with regulations of the department. The person making any initial response to a request for child welfare services shall consider providing appropriate social services to maintain the child safely in their own home. However, an in-person response is not required when the county child welfare services department, based upon an evaluation of risk, determines that an in-person response is not appropriate. An evaluation of risk includes collateral contacts, a review of previous referrals, and other relevant information.

(b) A county child welfare services department social worker shall make an in-person response whenever a referral is received pursuant to Section 11254. Whenever a referral is received pursuant to Section 11254, the county child welfare services department social worker, within 20 calendar days from the receipt of the referral, shall determine whether the physical or emotional health or safety of the individual or child would be jeopardized if the individual and child lived in the same residence with the individual's own parent or legal guardian, or other adult relative.

(c) Notwithstanding Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code, any nonminor dependent, as described in subdivision (v) of Section 11403, reported to the county welfare services department to be endangered by abuse, neglect, or exploitation by a licensed or approved caregiver while in a foster care placement shall be eligible for evaluation of risk services, to determine if the placement is safe and appropriate. The county child welfare services department shall cross-report the suspected abuse, neglect, or exploitation by the licensed or approved caregiver to the appropriate licensing or approval agency and, as appropriate, to law enforcement.

(d) Notwithstanding any other law, county child welfare services departments do not need to substantiate or have allegations of abuse, neglect, or exploitation in order to provide voluntary services and stabilization support.

SEC. 28. Section 16523.1 of the Welfare and Institutions Code is amended to read:

16523.1. (a) To the extent funds are appropriated in the annual Budget Act, the department shall award program funds to counties and tribal governments for the purpose of providing housing-related supports to eligible families experiencing homelessness if that homelessness prevents reunification between an eligible family and a child receiving child welfare services, or where lack of housing prevents a parent or guardian from addressing issues that could lead to foster care placement.

(b) Notwithstanding subdivision (a), this section does not create an entitlement to housing-related assistance, which is intended to be provided at the discretion of the county or tribe as a service to eligible families.

(c) (1) It is the intent of the Legislature that housing-related assistance provided pursuant to this article utilize evidence-based models, including evidence-based practices in rapid rehousing and supportive housing.

(2) Housing-related supports available to participating families shall include, but not be limited to, the following:

(A) An assessment of each family's housing and service needs, including a plan to assist them in meeting those needs, using an assessment tool developed in the local community or an assessment tool used in other jurisdictions.

(B) Housing navigation or search assistance to recruit landlords, and assist families in locating housing affordable to the family.

(C) The use of evidence-based models, such as motivational interviewing and trauma-informed care, to build relationships with a parent or guardian.

(D) Housing-related financial assistance, including rental assistance, security deposit assistance, utility payments, moving cost assistance, and interim housing assistance while housing navigators are actively seeking permanent housing options for the family.

(E) (i) Housing stabilization services, including ongoing tenant engagement, case management, public systems assistance, legal services, credit repair assistance, life skills training, and conflict mediation with landlords and neighbors.

(ii) Services provided pursuant to clause (i) shall be provided with input from the family, based on the needs of the family, and in coordination with other services being provided by child welfare services or tribes, family resource centers, family courts, and other services.

(F) If the family requires supportive housing, long-term housing through tenant or project-based rental assistance or operating subsidies and services promoting housing stability, subject to available funding pursuant to subdivision (a).

(d) The department shall award program funds to county child welfare agencies and tribes according to criteria developed by the department, in consultation with the County Welfare Directors Association of California, the Corporation for Supportive Housing, and Housing California, subject to all of the following requirements:

(1) (A) Except as otherwise provided in subparagraph (B), a county or tribe that receives state funds under this program shall match that funding on a dollar-by-dollar basis. The county or tribal funds used for this purpose shall supplement, not supplant, county or tribal funding already intended for these purposes.

(B) Beginning on July 1, 2021, a county or tribe that receives state funds under this article shall not be required to match any funding.

(2) A county or tribe that receives state funds under this program shall partner with a local homeless continuum of care that participates in a homeless services coordinated entry and assessment system, as required by the United States Department of Housing and Urban Development.

(3) A county or tribe that receives state funds under the program shall utilize a cross-agency liaison to coordinate activities under the program with the homeless continuum of care and the county child welfare or tribal agency, including housing-related and child welfare services for families.

(e) The department, in consultation with Housing California, the Corporation for Supportive Housing, and the County Welfare Directors Association of California, shall develop all of the following:

(1) The criteria by which counties and tribal governments may be awarded funds to provide housing-related assistance to eligible families pursuant to this article.

(2) The proportion of program funding to be expended on reasonable and appropriate administrative activities to minimize overhead and maximize services.

(3) Eligible sources of funds for a county's or tribe's matching contribution.

(4) Tracking and reporting procedures for the program.

(5) A process for evaluating program data.

SEC. 29. Section 16544.5 is added to the Welfare and Institutions Code, to read:

16544.5. The California Child Welfare Council shall establish a Mandated Reporting Advisory Committee (MRAC). The MRAC shall include, but not be limited to, representatives of county agencies, labor organizations, community-based organizations, and parents and youth directly impacted by the child welfare system. It is the intent of the Legislature that the MRAC ensure the transformation of mandated reporting to community supporting continues and disparities in the child welfare system are eliminated.

SEC. 30. Section 16560 of the Welfare and Institutions Code is amended to read:

16560. (a) The Legislature finds and declares all of the following:

(1) The Continuum of Care Reform (CCR) was enacted to improve California's child welfare system and its outcomes through, in part, the selection and use of comprehensive initial child assessments.

(2) In 2018, the department selected the Child and Adolescent Needs and Strengths (CANS) assessment tool as the evidence-based, functional assessment tool as part of the implementation of the CCR. Pursuant to Section 16523.55, the requirement under Section 16523.5 for quarterly updates to the Legislature by the department on the implementation of the CCR has included a requirement for status updates on the utilization of the CANS assessment tool.

(3) The Legislature supports the use of a standardized CANS assessment tool completed to fidelity to guide case management and to identify trauma-informed services and supports tailored to meet the individual needs of children in foster care, with the goal of obtaining permanency and stability for every child and nonminor dependent.

(4) The Legislature further supports a trauma-informed approach to using the CANS assessment tool to reduce the number and duplication of assessments of youth.

(b) For purposes of this chapter, the following definitions shall apply:

(1) "Child" means a person, including an Indian child as described in subdivision (a) of Section 224.1, who is under 18 years of age and placed into foster care by a placing agency.

(2) "Integrated Practice-Child and Adolescent Needs and Strengths" or "IP-CANS" shall have the same meaning as the IP-CANS, described in subparagraph (A) of paragraph (1) of subdivision (h) of Section 11461.

(3) "Nonminor dependent" has the same meaning as a nonminor dependent in subdivision (v) of Section 11400.

(4) "Placing agency" means a county child welfare agency, a county probation department, or an Indian tribe that has entered into an agreement pursuant to Section 10553.1.

(c) (1) Beginning January 1, 2026, all placing agencies shall ensure completion of IP-CANS assessments for every child and nonminor dependent placed in foster care under the care and supervision of the placing agency, in accordance with the standards and guidelines developed by the department pursuant to subdivision (d). The IP-CANS assessment shall be informed by members of the child and family team, including the child or nonminor dependent, the family of the child or nonminor dependent, and the child's tribe in the case of an Indian child.

(2) The placing agency shall ensure completion of an IP-CANS assessment and entry into the statewide child welfare information system for each child or nonminor dependent within 60 days of their entry or reentry into foster care, as defined by the department, or within 30 days in the case of an Indian child.

(3) The placing agency shall ensure completion of a new or updated IP-CANS assessment for each child or nonminor dependent at least once every six months after the IP-CANS assessment is completed pursuant to paragraph (2), and more frequently to address the needs or changing circumstances of the child or nonminor dependent as directed by the department.

(4) The IP-CANS assessments shall determine the child's or nonminor dependent's tier for purposes of the Tiered Rate Structure established in subdivision (h) of Section 11461.

(d) (1) The department shall engage with a working group regarding guidelines and standards on the use of the IP-CANS that shall include, but not be limited to, all of the following:

(A) Outcome measures, tools, training, coaching, and other supports necessary to ensure the IP-CANS assessments are completed to fidelity.

(B) The timing and use of the IP-CANS assessments in determining a child's or nonminor dependent's tier in the Tiered Rate Structure.

(C) The conditions that trigger the completion of an updated or new IP-CANS assessment.

(D) The impact of changes in the child's or nonminor dependent's tier as determined by subsequent IP-CANS assessments, including the timing of changes in the components of the Tiered Rate Structure based on changes in the child's or nonminor dependent's tier and exceptions which will apply in order to support placement in a family home.

(2) Not later than January 1, 2025, the department shall issue guidance and instructions for this subdivision to placing agencies regarding implementation by July 1, 2025, of the guidelines and standards developed pursuant to this subdivision.

(e) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this chapter by means of all-county letters or similar written instructions, which shall be exempt from submission to or review by the Office of Administrative Law. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations no later than January 1, 2030.

SEC. 31. Section 16562 of the Welfare and Institutions Code is amended to read:

16562. The Legislature finds and declares the following:

(a) (1) A coordinated, timely, and trauma-informed system of care is essential to meet the needs of children and nonminor dependents in foster care who have experienced trauma.

(2) The use of standardized, validated functional assessment tools reveal that some children and nonminor dependents have immediate needs that may become increasingly complex if intervention is delayed or if the need is left unattended.

(3) Investing in the provision of services to children and nonminor dependents in foster care by identifying and addressing immediate needs ensures that even those children and nonminor dependents with the highest level of need can be supported in every setting and, whenever possible, in the home of a relative, nonrelative extended family member or, in the case of an Indian child, an extended family member, as described in Section 224.1.

(4) Child development research establishes that a trauma-informed system of care prioritizes and supports the role of the child's or nonminor dependent's family and community of origin in meeting the needs of the child and nonminor dependent. Research also shows that children and nonminor dependents placed with relatives, or extended family members as defined in Section 224.1 in the case of an Indian child, experience better permanency outcomes, higher rates of reunification, lower rates of reentry into foster care, and greater stability while they are in care.

(5) Immediate needs should be addressed in a way that is culturally responsive, family centered, and permanency focused, and, for an Indian child, supports engagement with the child's tribe in ensuring the array of integrated services and supports are informed by the prevailing social and cultural conditions and way of life of the Indian child's tribe.

(6) Meeting the immediate needs of children and nonminor dependents in foster care using a coordinated, timely, and trauma-informed system of care requires partnerships between caregivers, community-based service providers, and county and tribal placing agencies responsible for providing care and supervision to children and nonminor dependents and supports and services to children, nonminor dependents, and their families.

(7) It is therefore the intent of the Legislature in enacting this chapter to identify and address the immediate needs of children and nonminor dependents in foster care, as identified through a standardized validated functional assessment tool informed by the child and family team.

(b) The Immediate Needs Program is hereby established. Beginning on the date required by paragraph (9) of subdivision (h) of Section 11461, the Immediate Needs Program shall be available to every child and nonminor dependent in foster care who, upon completion of the IP-CANS, is determined to be in Tier 2, Tier 3, or Tier 3+ as part of the Tiered Rate Structure established in subdivision (h) of Section 11461. The Immediate Needs Program shall not apply to nonminor dependents placed in a setting described in subdivision (w) of Section 11400.

(c) For purposes of this chapter, the following definitions shall apply:

(1) "Immediate Needs Program" means a program that provides an array of integrated services and supports, consistent with guidance established by the department, based on the immediate needs of eligible children who fall into Tier 2, Tier 3, or Tier 3+ of the Tiered Rate Structure established in subdivision (h) of Section 11461 as determined by the IP-CANS assessment tool. For an Indian child, the program shall support engagement with the child's tribe by ensuring that the array of integrated services and supports provided shall be informed by prevailing social and cultural conditions and way of life of the Indian child's tribe and shall be provided consistent with active efforts as described in subdivision (f) of Section 224.1.

(2) "Immediate needs" means the circumstances identified by the child's or nonminor dependent's IP-CANS assessment that interfere with the child's or nonminor dependent's age and developmentally-appropriate behavioral or emotional functioning or otherwise currently impact the child or nonminor dependent that can be treated or addressed through the provision of services and supports.

(3) "Immediate Needs Funding" means the amount of funding available as a component of the Tiered Rate Structure established in subparagraph (C) of paragraph (2) of subdivision (h) of Section 11461, and set forth in subparagraph (A) of paragraph (1) of subdivision (d), based on the child's or nonminor dependent's tier, as determined by the IP-CANS assessment. The Immediate Needs Funding shall not be used to supplant existing state or county funds utilized for the provision of Medi-Cal services, except as provided in subdivision (h), subject to clause (iii) of subparagraph (C) of paragraph (1) of that subdivision.

(4) "Immediate Needs Program Plan" means the plan that includes all the requirements of subparagraph (B) of paragraph (2) of subdivision (d) and is submitted to the department for approval.

(5) "Immediate needs provider" means a placing agency, or a provider with whom the placing agency or the department selects to provide immediate needs services and supports. Immediate needs providers shall be certified by the department to provide services and supports consistent with the standards of care framework adopted pursuant to subdivision (e). For an Indian child,

the immediate needs provider shall have specialized knowledge of, training about, or experience with, tribes and the federal Indian Child Welfare Act of 1978 (25 U.S.C. Sec. 1901 et seq.).

(d) The purpose of the Immediate Needs Program is to provide an array of integrated services and supports tailored to meet the immediate needs of a child or nonminor dependent as identified by their IP-CANS as efficiently and effectively as reasonably possible. Under the Immediate Needs Program:

(1) (A) Immediate Needs Funding shall be available per child per month for each eligible child or nonminor dependent described in subdivision (b) based on the child's or nonminor dependent's tier, as determined by the results of the child's or nonminor dependent's IP-CANS assessment, according to the following tiered rate schedule:

Tier 1: \$0

Tier 2: \$1000

Tier 3: \$1500 [Ages 0-5]

Tier 3+: \$4100 [Ages 6+]

(B) To administer the Immediate Needs Program, each placing agency shall be provided funding consisting of the total amount of Immediate Needs Funding for all eligible children and nonminor dependents in Tiers 2, 3, and 3+, as set forth in subparagraph (A), who are under the placing agency's care and supervision. The methodology shall be developed by the department, in consultation with the County Welfare Directors Association of California and the Chief Probation Officers of California.

(C) Beginning on the date required by paragraph (9) of subdivision (h) of Section 11461, for new entries into foster care, and for all other children and nonminor dependents in foster care placements on July 1, 2027, including children and nonminor dependents placed in a setting described in subdivision (d) of Section 11402, the Immediate Needs Funding shall be available for each eligible child or nonminor dependent described in subdivision (b), consistent with the child's or nonminor dependent's tier, as determined by the IP-CANS assessment, pursuant to a schedule to be determined by the department.

(2) Placing agencies shall do all of the following:

(A) Provide for the immediate needs of children and nonminor dependents in Tier 2, Tier 3, and Tier 3+ as determined by the IP-CANS using the Immediate Needs Funding set forth in subparagraph (A) of paragraph (1). A description of the immediate needs and how the funding will be used to meet the immediate needs shall be included in the child's or nonminor dependent's case plan.

(B) Ensure the caregiver of a home-based setting, including, but not limited to, a tribally approved home, has relevant, specialized training necessary for the purpose of preparing the family to meet the needs of an individual child or nonminor dependent in Tier 2, Tier 3, or Tier 3+ who is or will be placed in the home. Immediate Needs Funding may be used for this purpose but shall not supplant existing funding for training caregivers.

(C) When appropriate based on the IP-CANS assessment, the Immediate Needs Funding may be used for the child or nonminor dependent in a manner that supports reunification efforts. The Immediate Needs Funding shall not supplant existing funding used by placing agencies to provide reunification services.

(D) Ensure the caregiver has the capability, willingness, and ability to meet the specific immediate needs of the child or nonminor dependent placed in the home, including by assessing the risk and compatibility of placing the child or nonminor dependent with any other children or nonminor dependents in the home and the ability of the caregiver to provide care and support for all the children or nonminor dependents in the home consistent with guidance to be issued by the department.

(E) In consultation with the local interagency leadership team established pursuant to Section 16521.6, which shall include the engagement and coordination of federally recognized tribes, the placing agency and the mental health plan shall submit to the department an Immediate Needs Program plan for approval that includes all of the following:

(i) How the placing agency will use the Immediate Needs Funding in a manner that provides, arranges for, or ensures the provision of, an array of immediate needs services and supports for individual children and nonminor dependents who are determined to be in Tier 2, Tier 3, or Tier 3+ of the Tiered Rate Structure, and, for an Indian child, how the services and supports will be conducted in a manner consistent with the prevailing social and cultural conditions and way of life of the Indian child's tribe and provided consistent with active efforts, as described in subdivision (f) of Section 224.1.

(ii) How the placing agency will ensure the services provided pursuant to the Immediate Needs Program plan or, alternatively, any immediate needs providers with whom the placing agency selects, will meet the standards of care framework established by the department in the guidelines provided under paragraph (2) of subdivision (e).

(iii) How the placing agency will ensure an adequate supply of certified immediate needs providers for children and nonminor dependents in the Immediate Needs Program, including an adequate supply of certified immediate needs provider for Indian children in the program who have specialized knowledge of, training in, or experience with, tribes and the federal Indian Child Welfare Act of 1978 (25 U.S.C. Sec. 1901 et seq.).

(iv) An agreement by the placing agency to provide data requested by the department related to children and nonminor dependents in foster care in Tier 2, Tier 3, and Tier 3+, as determined by the IP-CANS assessments.

(F) Become a certified immediate needs provider if the placing agency opts to directly provide for the immediate needs of children and nonminor dependents placed into foster care by using the Immediate Needs Funding.

(G) Use only immediate needs providers certified by the department, using agreements that are consistent with model contracts developed by the department.

(H) For a short-term therapeutic residential program or community treatment facility certified by the department as an immediate needs provider, select the short-term residential therapeutic residential program or the community treatment facility where a child or nonminor dependent in the Immediate Needs Program is placed, unless the placing agency determines it is in the best interest of the child or nonminor dependent to receive services and supports from another certified immediate needs provider.

(I) For a foster family agency certified by the department as an immediate needs provider, select the foster family agency with which a child or nonminor dependent in the Immediate Needs Program is placed, unless the placing agency determines it is in the best interest of the child or nonminor dependent to receive services and supports from another certified immediate needs provider.

(J) Facilitate the child and family team to obtain input on the development of an Immediate Needs Plan and incorporate the Immediate Needs Plan as part of the child's or nonminor dependent's case plan, as applicable, and the state's child welfare information system.

(K) Submit data and outcome measures regarding the Immediate Needs Program to the department in periodic reports, on a schedule determined by the department.

(e) The department shall be responsible for all of the following:

(1) Oversight of the placing agencies in administering the Immediate Needs Program, including the placing agency's use of the placing agency funding for the program, the Immediate Needs Funding, and the progress and success of the program in meeting the immediate needs of children in foster care.

(2) Development of a standards of care framework for the Immediate Needs Program developed in consultation with persons and entities described in subdivision (f), that immediate needs providers shall be subject to regarding the services and supports to be provided to meet a child's or nonminor dependent's immediate needs as identified in the IP-CANS assessment for each child or nonminor dependent who falls into Tiers 2, Tier 3, or Tier 3+.

(3) Development of a process by which an immediate needs provider shall be certified by the department to provide services consistent with the standards of care framework developed pursuant to paragraph (2). The certification for immediate needs providers for Indian children shall include requirements, developed through consultation with tribes, for specialized knowledge of, training about, or experience with, tribes and the federal Indian Child Welfare Act of 1978 (25 U.S.C. Sec. 1901 et seq.).

(4) Provision of technical assistance to support placing agencies in developing and maintaining an adequate array of certified immediate needs providers.

(5) Development of model contracts that align with the standards of care framework and with which all placing agency agreements with immediate needs providers shall be consistent.

(6) Development of written guidance and technical support for placing agencies to support both of the following:

(A) Regional agreements with immediate needs providers to ensure an adequate supply of providers who are certified and able to meet the standards of care framework.

(B) Agreements between placing agencies to administer the Immediate Needs Program, or for building a consortium of placing agencies to jointly administer the Immediate Needs Program.

(7) Development of informational materials for placing agencies to provide to children, nonminor dependents, families, and caregivers, about the Immediate Needs Program. Information shall be provided in plain language, in alternative formats and alternative modes of communication and provide language access as required by state and federal law.

(8) Workforce development, training, and curriculum requirements on the Immediate Needs Program, including the standards of care framework and model contracting.

(9) Development of guidelines and training on funding resources and claiming by placing agencies and immediate needs providers, including, but not limited to, controls and documentation to determine when federal financial participation may be available if all state and federal requirements are met.

(10) Development of policies and procedures for statewide collection of data and outcome measures, including requirements for the placing agencies and immediate needs providers to submit needed data and reports.

(11) Development of guidelines describing the conditions, and the process and procedure, under which the department will need to enter into contracts regarding the Immediate Needs Program.

(12) Development, in collaboration with the State Department of Health Care Services and other entities specified in subdivision (f), of guidance on the implementation of the Immediate Needs Program, including, but not limited to, guidance on implementation of high-fidelity wraparound services. This guidance shall also address reducing administrative and programmatic burdens and duplication and promote consistent procedures statewide.

(f) The department, in consultation with the State Department of Health Care Services, County Behavioral Health Directors Association of California, County Welfare Directors Association of California, Chief Probation Officers of California, tribes, child welfare advocates, providers, current or former foster children, nonminor dependents, parents, caregivers, and other interested parties, shall establish statewide minimum standards for the Immediate Needs Program and for immediate needs providers of services and supports, and shall issue guidance necessary to implement this section. The process for development of the standards of care framework relating to Indian children shall include consultation with federally recognized tribes.

(g) The department shall consult with an Indian tribe, consortium of tribes, or tribal organization that has entered into an agreement with the state pursuant to Section 10553.1 for the purpose of the implementation of this section by the Indian tribe, consortium of tribes, or tribal organization.

(h) (1) (A) The State Department of Health Care Services shall implement a case rate or other type of reimbursement for high-fidelity wraparound services, which is a Medi-Cal specialty mental health service for members under 21 years of age, and seek any necessary federal Medicaid approvals. This paragraph shall be implemented only if, and to the extent that, federal financial participation under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.) is available and all necessary federal approvals have been obtained.

(B) All children and nonminor dependents in foster care who meet the criteria to participate in the Immediate Needs Program specified in subdivision (b) and are under 21 years of age are eligible to receive high-fidelity wraparound services, consistent with state and federal Medicaid policies, as a component of the Immediate Needs Program. Placing agencies and mental health plans shall coordinate referrals for high-fidelity wraparound services and mental health plans shall provide or arrange for the provision of these services consistent with the terms of their Medi-Cal contracts.

(C) (i) Upon the Immediate Needs Program taking effect pursuant to subdivision (b), a portion of the Immediate Needs Funding shall be used as the non-federal share of Medi-Cal covered high-fidelity wraparound services provided to children and nonminor dependents in foster care who meet the criteria to participate in the Immediate Needs Program specified in subdivision (b), consistent with guidance provided by the departments.

(ii) Counties may use additional or other allowable sources of funds towards the nonfederal share of Medi-Cal covered high-fidelity wraparound services if Immediate Needs Funds are insufficient.

(iii) State and county sources of funds that were not expended because Immediate Needs Funds were used for the nonfederal share of Medi-Cal covered high-fidelity wraparound services should be used for services to children and nonminor dependents in foster care who meet the criteria to participate in the Immediate Needs Program.

(D) This paragraph does not relieve mental health plans of the obligation to provide all medically necessary specialty mental health services.

(2) Federal financial participation under the Medi-Cal program shall only be available for services and supports provided under the Immediate Needs Program if all state and federal requirements are met and the service is medically necessary.

(A) The State Department of Health Care Services may issue guidance on the conditions under which federal financial participation is available for Medi-Cal services that intersect with the implementation of this section.

(B) Medi-Cal services shall only be claimed to the extent medical assistance federal financial participation is available and is not otherwise jeopardized.

(3) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the State Department of Health Care Services may implement, interpret, or make specific this section concerning the provision of Medi-Cal services by means of plan or all-county letters, information notices, plan or provider bulletins, or other similar instructions, without taking any further regulatory action.

(i) (1) The department has authority to receive the Immediate Needs Funding on behalf of the placing agency and use the funding to award contracts for the purpose of implementing and maintaining the Immediate Needs Program under either of the following circumstances:

(A) Pursuant to a voluntary agreement reached between the department and a placing agency.

(B) If the department, pursuant to the conditions, policies, and procedures established under paragraph (11) of subdivision (e), determines a placing agency has failed to adequately administer the Immediate Needs Program or meet the immediate needs of children or nonminor dependents for whom it is responsible based on the standard of care framework established in paragraph (2) of subdivision (e).

(2) Notwithstanding any other law, contracts awarded by the department for purposes of this section shall be exempt from the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.

(3) Notwithstanding any other law, contracts awarded by the department for purposes of this section shall be exempt from the Public Contract Code and the State Contracting Manual and shall not be subject to the review or approval of the Department of General Services or the Department of Technology.

(j) Placing agencies shall have authority to enter into voluntary agreements with other placing agencies to administer their Immediate Needs Program, and to form a consortium of placing agencies to jointly administer the Immediate Needs Program, provided there is compliance with the written guidance and technical support provided by the department pursuant to paragraphs (6) and (7) of subdivision (e).

SEC. 32. Section 16587 of the Welfare and Institutions Code is amended to read:

16587. (a) A county may elect to provide the prevention services under this chapter by providing a written plan to the State Department of Social Services, in accordance with instructions issued by the department. The written plan, when being updated by the county on or after January 1, 2027, shall include the county's plans to provide information for mandated reporters regarding the resources available to support families in their communities. A county shall promptly notify the department of any changes to the written plan, including, but not limited to, an elimination or reduction of services. During the first year of implementation, a county may elect to provide the prevention services under this chapter by providing a written notice to the department while the county continues to develop its written plan. The county shall consult with other relevant county agencies that serve families and children, Indian tribes, local community representatives, caseworkers, and individuals and families with lived experience with the child welfare system in the development and ongoing implementation of the plan.

(b) The department shall consult with Indian tribes on the development of the statewide prevention plan, associated allocation policies, and procedures for an Indian tribe, consortium of tribes, or tribal organization that has entered into an agreement with the state pursuant to Section 10553.1 to elect to provide the prevention services under this chapter.

(c) (1) A county or Indian tribe, consortium of tribes, or tribal organization that has entered into an agreement with the state pursuant to Section 10553.1 that elects to provide prevention services under this chapter may provide those services for all of the following:

(A) A child who is a candidate for foster care.

(B) A child or nonminor dependent in foster care who is a pregnant or parenting foster youth.

(C) The parents or kin caregivers of a child described in this paragraph.

(2) (A) Prevention services under this chapter may be provided for a period of up to 12 months.

(B) Prevention services under this chapter may be provided for additional 12-month periods, including contiguous 12-month periods, on a case-by-case basis, when a county or tribal caseworker determines and documents in the candidate for foster

care or pregnant or parenting foster youth's prevention plan that they continue to meet the requirements to receive prevention services as a candidate for foster care, or pregnant or parenting foster youth.

(C) Nothing in this subdivision shall be construed to alter or limit the time period for services provided under the Medi-Cal program to a Medi-Cal beneficiary, which shall be based on medical necessity.

(3) When a county knows or has reason to know a child is an Indian child, as defined in Section 224.1, the county shall provide prevention services under this chapter in a manner consistent with active efforts, as described in subdivision (f) of Section 224.1.

(d) A Title IV-E agency that elects to provide the prevention services under this chapter shall be responsible for:

(1) (A) Determining whether a child is a candidate for foster care and eligible for prevention services based upon an in-person assessment, or an alternative assessment methodology approved by the State Department of Social Services.

(B) Identifying whether a child or nonminor dependent in foster care is a pregnant or parenting foster youth who will receive prevention services. A candidacy assessment and determination are not required for a pregnant or parenting foster youth to receive prevention services.

(2) Documenting the determination described in paragraph (1) in the child or youth's prevention plan.

(3) Inquiring whether a child who is being assessed as a candidate for foster care and for prevention services under this chapter is or may be an Indian child in accordance with Section 224.2. When the county knows or has reason to know the child is an Indian child, as defined in Section 224.1, the county shall provide written notification to the tribe inviting the child's tribe to partner with the county agency in the initial and ongoing assessments of the child and family and the development and implementation of the written prevention plan.

(4) (A) Developing and implementing a written prevention plan for the child or youth using a model approved by the department.

(B) In the case of a child who is a candidate for foster care, the prevention plan shall identify the foster care prevention strategy for the child and list the services or programs to be provided to, or on behalf of, the child, including the services or programs to be provided to the child's parent or kin caregiver.

(C) In the case of a pregnant or parenting foster youth, the prevention plan shall list the services or programs to be provided to, or on behalf of, the youth to meet their individual needs, strengthen their ability to parent, describe the parenting support strategy to promote the health and development of, and prevent foster care for, any child born to the youth, and be included in the youth's existing case plan.

(D) In the case of an Indian child, the development and implementation of the written prevention plan shall be in partnership with the Indian child's tribe.

(5) Documenting all prevention services cases under this chapter in accordance with instructions issued by the department to county Title IV-E agencies.

(6) Ensuring that prevention services are provided using a trauma-informed approach, including an approach informed by historical and multigenerational trauma.

(7) Monitoring the safety of a candidate for foster care or pregnant or parenting foster youth receiving prevention services under this chapter, which shall include in-person contact with the child or youth by the caseworker to ensure the child's or youth's ongoing safety, as specified in the written prevention plan.

(8) Conducting periodic risk assessments for the child or youth while prevention services are being provided. The caseworker shall reexamine the prevention plan if they determine the risk of the child or youth entering foster care remains high despite the provision of prevention services. In the case of an Indian child, the assessments and any reexamination of the prevention plan shall be conducted in partnership with the Indian child's tribe.

(9) Collecting and reporting any information or data necessary to the department for federal financial participation, federal reporting, or evaluation of the services provided, including, but not limited to, child-specific information and expenditure data.

(10) Continuously monitoring the implementation and provision of services provided under this chapter to ensure fidelity to the practice model, determine outcomes achieved, and determine how information learned from monitoring will be used to refine and improve practices, using a continuous quality improvement framework developed in accordance with instructions issued by the department to county Title IV-E agencies. Outcomes achieved shall include, but are not limited to, measures examining the equitable implementation and provision of services, as well as equitable distribution of outcomes.

(11) (A) Conducting or contracting for a well-designed and rigorous evaluation of each prevention service provided under this chapter, as coordinated by the department and in accordance with instructions issued by the department to county Title IV-E agencies. An evaluation shall examine the effectiveness of each service in improving outcomes for children and families across diverse groups receiving each service. The department shall consult with the State Department of Health Care Services on any instructions to counties that involve an evaluation of a prevention service that is paid for by Medi-Cal.

(B) This paragraph shall not apply to a prevention service for which the state has received a federal waiver of the evaluation requirements pursuant to Section 471(e)(5) of the federal Social Security Act (42 U.S.C. Sec. 671(e)(5)).

(C) Subject to the availability of state or other funds, the department may conduct or contract for a well-designed and rigorous evaluation of a prevention service as described in subparagraph (A). A Title IV-E agency's participation in an evaluation of a prevention service by the department shall satisfy the agency's responsibility under this paragraph.

(e) A Title IV-E agency may contract with another agency or community-based organization to perform the activities described in paragraphs (4) through (8), inclusive, of subdivision (d) in accordance with guidelines and instructions issued by the department. The county shall be responsible for supervising and ensuring appropriate performance of these activities. A county may work with one or more other counties utilizing the same prevention service to conduct a joint evaluation that meets the requirements of this section.

(f) A parent, caregiver, child, or youth's nonparticipation in or noncompletion of offered prevention services, in and of itself, shall not be prima facie evidence that the child comes within Section 300 or prima facie evidence of substantial danger.

SEC. 33. Section 18901.58 of the Welfare and Institutions Code is amended to read:

18901.58. (a) (1) On or before July 1, 2026, the department, in consultation with advocate representatives, county human service agencies, and the County Welfare Directors Association of California, shall develop a methodology for estimating the CalFresh participation rate and identifying characteristics of Californians who are eligible for, but not receiving, CalFresh benefits.

(2) Identified characteristics may include, but are not limited to, race, ethnicity, preferred language, age, and location.

(3) The department shall identify any existing public assistance or public benefit data that may be used to identify Californians who are eligible for, but not receiving, CalFresh benefits.

(4) The department shall annually publish the CalFresh participation rate.

(b) The department shall utilize the data and metrics described in subdivision (a) to develop informed and targeted outreach strategies and to maximize federal funding for CalFresh outreach to reach Californians who are eligible for CalFresh benefits.

(c) On or before July 1, 2027, the department, in consultation with advocate representatives, county human service agencies, and the County Welfare Directors Association of California, shall develop a strategic plan for how the department's methodology and outreach strategies may be implemented and executed to maximize benefits to those eligible for CalFresh benefits.

(d) The department shall designate an executive-level employee of the department who shall report to the Director of Social Services on the implementation of the provisions of this section and Section 18901.59.

SEC. 34. Section 18950.1 is added to the Welfare and Institutions Code, to read:

18950.1. (a) The Legislature finds and declares all of the following:

(1) Current mandatory reporting laws have resulted in a significant increase in the number of reports made with no corresponding evidence that children are safer.

(2) The harm and trauma of unnecessary reporting falls disproportionately on Black/African American and Native American/Indigenous children and families.

(3) Therefore, to eliminate the disproportionate surveillance and reporting of Black/African American, Native American/Indigenous, and Latino families and communities, thereby leading to an environment of antiracism in support of all children and families, it is the intent of the Legislature that training be fully implemented regarding the definition of general neglect, as defined in Section 11165.2 of the Penal Code, and that investigations of general neglect by child welfare agencies as referred by mandated reporters emphasize community-based supports and family preservation services to reduce disparities and disproportionality in the child welfare system.

(4) It is the intent of the Legislature to enact legislation to clarify statutes to allow for the sharing of information across agencies through a multidisciplinary team approach to serve children and families to prevent foster care entry.

(b) The department, through the State Office of Child Abuse Prevention, with participation of individuals with lived expertise, county child welfare agencies, and other stakeholders, shall, by no later than July 1, 2027, develop a standardized curriculum for mandated reporters. The curriculum shall reflect the intent of the Legislature in subdivision (a) and shall include, but not be limited to, all of the following:

- (1) History of mandated reporting laws, including the impact of structural racism resulting in a disproportionate number of Black and Indigenous families involved in the child welfare services system.
- (2) The Federal Child Abuse Prevention and Treatment Act.
- (3) California's Child Abuse and Neglect Reporting Act in Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.
- (4) The federal Indian Child Welfare Act of 1978 (25 U.S.C. Sec. 1901 et seq.).
- (5) Best practice for defining "reasonable suspicion" and "substantial risk."
- (6) Differences between "severe neglect" and "general neglect" as defined in Section 11165.2 of the Penal Code.
- (7) California child abuse, neglect, and disproportionality data.
- (8) Definitions of "bias," including "implicit," and "explicit," bias, and "trauma," the impact of bias and trauma on families and children, and strategies for recognizing and mitigating their impact.
- (9) The impact on families of making a child abuse or neglect report to child protective services.
- (10) Considerations for special populations, including individuals with disabilities, behavioral health, domestic violence, and substance use concerns, as well as the unique factors involved in supporting children 0 to 5 years of age.
- (11) Decisionmaking processes and tools for mandated reporters, including case examples of general neglect and severe neglect as those terms are defined in Section 11165.2 of the Penal Code.
- (12) Education and information on community resources, community-based organizations, and other government agencies that can provide support to families in need, including information about basic aid programs like the CalWORKs, Medi-Cal and CalFresh programs.

(c) (1) The department shall make the training described in this section available on an internet website.

- (2) The department may contract for the development, maintenance, and online hosting of the training described in this section.
- (3) The department may charge an appropriate fee to offset the cost of generating individual completion certificates for the training described in this section and maintaining a verification system for such certificates. This paragraph shall not apply to any other child abuse mandated reporter training the department is otherwise required by law to provide free of cost, including the child abuse mandated reporter training described in Section 1596.8662 of the Health and Safety Code.
- (4) Notwithstanding any other law, contracts entered into or amended by the department for purposes of this section, including, but not limited to, developing and providing mandated reporter training and education, improving mandated reporter policies, practices, and public awareness, and strengthening pathways to community supports, shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code, the Public Contract Code, and the State Contracting Manual, and shall not be subject to the review or approval of any division of the Department of General Services.

(d) (1) Except as provided in paragraph (2), an employer having one or more mandated reporters, as described in subdivision (a) of Section 11165.7 of the Penal Code, shall strongly encourage completion of training by their mandated reporters using the curriculum set forth in subdivision (b) within the first three months of their employment, or on or before March 1, 2030, whichever is later.

(2) The training under this subdivision shall not apply to either of the following:

- (A) A volunteer whose duties require direct contact with and supervision of children, as described in subdivision (g) of Section 11165.7 of the Penal Code.
- (B) A mandated reporter listed in Section 11165.7 of the Penal Code who is otherwise required by law to receive training in child abuse and neglect identification and reporting.

(e) For the purposes of this chapter, "California child abuse, neglect, and disproportionality data" means data documented by the California Child Welfare Indicators Project.

SEC. 35. Section 18999.4 of the Welfare and Institutions Code is amended to read:

18999.4. (a) (1) Pursuant to Section 18999.1, a grantee shall offer housing assistance to individuals described in subdivision (b) of Section 18999.2 and shall use funds received under this program to establish or expand programs that provide housing assistance, including interim housing, recuperative care, rental subsidies, or, only when necessary, shelters, for clients receiving services under Section 18999.2 during the clients' application periods for disability benefits programs described in that section. The grantee shall make a reasonable effort to place a client who receives subsidies in housing that the client can sustain without a subsidy upon approval of disability benefits, or consider providing limited housing assistance until an alternative subsidy, affordable housing voucher, or other sustainable housing option is secured. Upon approval or denial of disability benefits, where needed, case management staff shall assist in developing a transition plan for housing support.

(2) A client's participation in housing assistance programs or services is voluntary.

(b) To the extent authorized under federal law, a grantee, with the assistance of the department, shall seek reimbursement of funds used for housing assistance, general assistance, or general relief from the federal Commissioner of Social Security pursuant to an interim assistance reimbursement agreement authorized by Section 1631(g) of the federal Social Security Act, and shall expend funds received as reimbursement for housing assistance only on additional housing assistance for clients receiving services under this chapter.

(c) Beginning on July 1, 2025, the requirement to seek reimbursement of funds pursuant to subdivision (b) is waived.

SEC. 36. Section 57 of Chapter 86 of the Statutes of 2021 is amended to read:

Sec. 57. (a) The State Department of Social Services shall adopt regulations necessary to implement this act.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services may implement, interpret, or make specific the changes made by Chapter 86 of the Statutes of 2021 to Sections 1502 and 1562.01 of the Health and Safety Code, and to Sections 319, 319.3, 358.1, 361.2, 366, 366.1, 366.3, 366.31, 636, 706.5, 727.2, 4096, 4096.5, 4648, 11461.3, 11462.01, 16010.7, 16501, 16501.1, and 16521.6 of the Welfare and Institutions Code, and to implement, interpret, or make specific Sections 361.22, 727.12, 4096.55, 4096.6, 11402.005, and Chapter 7 (commencing with Section 16585) of Part 4 of Division 9 of the Welfare and Institutions Code, by means of all-county letters or similar instructions from the department until regulations are adopted. These all-county letters or similar written instructions shall have the same force and effect as regulations until the adoption of regulations no later than January 1, 2030.

(c) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the State Department of Health Care Services, in consultation with the State Department of Social Services, may implement, interpret, or make specific the changes made by Chapter 86 of the Statutes of 2021 to Sections 1502 and 1562.01 of the Health and Safety Code, and to Sections 319, 319.3, 358.1, 361.2, 366, 366.1, 366.3, 366.31, 636, 706.5, 727.2, 4096, 4096.5, 4648, 11462.01, 16010.7, 16501, 16501.1, and 16521.6 of the Welfare and Institutions Code, and to implement, interpret, or make specific Sections 361.22, 727.12, 4096.55, 4096.6, 11402.005, and Chapter 7 (commencing with Section 16585) of Part 4 of Division 9 of the Welfare and Institutions Code, in whole or in part, by means of plan or all-county letters, information notices, plan or provider bulletins, or other similar instructions, until the adoption of regulations no later than January 1, 2030.

(d) The provisions amended or added by Chapter 86 of the Statutes of 2021 that impact Medi-Cal, the State Department of Health Care Services, or county behavioral health departments shall be implemented only if, and to the extent that, federal financial participation, as provided under the Medi-Cal program, is not jeopardized and all necessary federal approvals have been obtained.

SEC. 37. Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services may implement, interpret, or make specific the amendments made to Sections 358.2, 366.2, 706.5, and 16501 of the Welfare and Institutions Code by this act by means of all-county letters or similar written instructions, which shall be exempt from submission to or review by the Office of Administrative Law. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations, no later than January 1, 2030.

SEC. 38. Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the State Department of Health Care Services may implement, interpret, or make specific the amendments made to Sections 358.2, 366.2, 706.5, and 16501 of the Welfare and Institutions Code by this act by means of plan or all-county letters,

information notices, plan or provider bulletins, or other similar instructions, until the adoption of any necessary regulations, no later than January 1, 2030.

SEC. 39. The sum of one hundred thousand dollars (\$100,000) is hereby appropriated from the Federal Trust Fund to the State Department of Social Services for child welfare programs.

SEC. 40. No appropriation pursuant to Section 15200 of the Welfare and Institutions Code shall be made for purposes of this act.

SEC. 41. To the extent that this act has an overall effect of increasing certain 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.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 42. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.