

HOUSE BILL No. 4976

October 13, 2015, Introduced by Reps. Hovey-Wright, Runestad, Darany, Kosowski, Faris, Schor, Kivela, Kelly, Cochran, Victory, Pagel, Durhal, Hooker, Webber, Love, Chirkun, Zemke, LaVoy, Greig, Brinks, LaFontaine, Yanez, Lane, Dianda, Geiss, Wittenberg, Liberati, Plawecki, Derek Miller, Santana, Callton, Vaupel, Lyons, Crawford, Talabi, Bumstead, Iden, McCready, Lucido, Kesto and Hoadley and referred to the Committee on Families, Children, and Seniors.

A bill to amend 1994 PA 203, entitled
"Foster care and adoption services act,"
by amending section 3 (MCL 722.953), as amended by 2014 PA 524, and
by adding section 8b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. The purposes of this act are all of the following:

2 (a) To assist foster parents to provide a stable, loving
3 family environment for children who are placed outside of their
4 homes on a temporary basis.

5 (b) To help eliminate barriers to the adoption of children and
6 to promote the provision of a stable and loving family environment
7 to children who are without permanent families.

8 (c) To promote the well-being and safety of all children who
9 receive foster care or are adopted under the laws of this state.

10 (d) To protect and assist prospective adoptive families as

1 they negotiate the adoption process.

2 (e) To regulate child placing agencies who certify foster
3 parents and serve adoptees and adoptive families in this state.

4 (f) To regulate adoption attorneys who facilitate direct
5 placement adoptions.

6 (g) To ensure foster parents and prospective adoptive parents
7 receive all applicable resources as described in section 8a.

8 (H) TO ENSURE THAT THE DEPARTMENT DEVELOPS AND MAINTAINS A
9 SPECIFIC POLICY OF THE PROVISIONS DESCRIBED IN SECTIONS 8B, 8C, AND
10 8D TO PROVIDE TO CHILDREN PLACED IN FOSTER CARE. THE SPECIFIC
11 POLICY DESCRIBED IN SECTIONS 8B, 8C, AND 8D SHALL BE KNOWN AS THE
12 CHILDREN'S ASSURANCE OF QUALITY FOSTER CARE POLICY.

13 SEC. 8B. (1) THE DEPARTMENT SHALL ENSURE THAT THE CHILDREN'S
14 ASSURANCE OF QUALITY FOSTER CARE POLICY IS DEVELOPED, IMPLEMENTED
15 BY THE SUPERVISING AGENCY, AND MADE AVAILABLE TO THE PUBLIC.

16 (2) THE DEPARTMENT SHALL PROMOTE THE PARTICIPATION OF CURRENT
17 AND FORMER FOSTER CHILDREN IN DEVELOPING THE CHILDREN'S ASSURANCE
18 OF QUALITY FOSTER CARE POLICY.

19 (3) THE CHILDREN'S ASSURANCE OF QUALITY FOSTER CARE POLICY
20 SHALL ENSURE THAT CHILDREN PLACED IN FOSTER CARE ARE PROVIDED WITH
21 THE FOLLOWING:

22 (A) FAIR, EQUAL, AND RESPECTFUL TREATMENT, INCLUDING TREATMENT
23 THAT DOES NOT VIOLATE THE PROVISIONS OF THE ELLIOTT-LARSEN CIVIL
24 RIGHTS ACT, 1976 PA 453, MCL 37.2101 TO 37.2804.

25 (B) PLACEMENT WITH RELATIVES AND SIBLINGS, WHEN APPROPRIATE,
26 AS PROVIDED IN SECTION 4A(5).

27 (C) INVENTORY AND SECURITY OF THE FOSTER CHILD'S PERSONAL

1 BELONGINGS.

2 (D) TRANSITION PLANNING, INCLUDING FINANCIAL EDUCATION, ACCESS
3 TO PERSONAL DOCUMENTS, INFORMATION REGARDING POST-SECONDARY
4 EDUCATION, AND INDEPENDENT LIVING PREPARATION, AS AGE-APPROPRIATE.

5 (E) ONGOING CONTACT AND VISITS WITH PARENTS, RELATIVES, AND
6 FRIENDS, IF PERMITTED BY THE COURT.

7 (F) ACCESS TO ADVOCACY SERVICES FOR FOSTER CHILDREN WITH
8 DISABILITIES.

9 (G) TIMELY ENROLLMENT IN SCHOOL WITH CONSISTENT PLACEMENT IN
10 THE SAME SCHOOL, WHEN POSSIBLE.

11 (H) PARTICIPATION IN EXTRACURRICULAR ACTIVITIES CONSISTENT
12 WITH THE FOSTER CHILD'S AGE AND DEVELOPMENTAL LEVEL, AS ALLOWED BY
13 THE SUPERVISING AGENCY'S RESOURCES.

14 (I) PLACEMENT IN THE LEAST RESTRICTIVE SETTING, APPROPRIATE TO
15 THE FOSTER CHILD'S NEEDS, FREE FROM ABUSE, PHYSICAL RESTRAINT, AND
16 DISCRIMINATION OR HARASSMENT.

17 (J) ACCESS TO AND RECEIPT OF INFORMATION AND SERVICES,
18 INCLUDING NECESSARY MEDICAL, EMOTIONAL, PSYCHOLOGICAL, PSYCHIATRIC,
19 AND EDUCATIONAL EVALUATIONS AND TREATMENT, AS SOON AS PRACTICABLE
20 AFTER IDENTIFYING THE NEED FOR SERVICES BY THE SCREENING AND
21 ASSESSMENT PROCESS.

22 (K) ACCESS TO AND PARTICIPATION IN RELIGIOUS ACTIVITIES,
23 CULTURAL ACTIVITIES, OR BOTH.

24 (L) ADEQUATE FOOD, NECESSITIES, AND SHELTER, INCLUDING SPECIAL
25 DIETARY NEEDS, SCHOOL SUPPLIES, CLOTHING, AND HYGIENE PRODUCTS.

26 (M) INFORMATION REGARDING PROPOSED PLACEMENT, AS AGE-
27 APPROPRIATE.

1 (N) A PERMANENCY PLAN, AS REQUIRED BY STATE AND FEDERAL LAW,
2 THAT IS DESIGNED TO FACILITATE THE PERMANENT PLACEMENT OR RETURN
3 HOME OF A FOSTER CHILD IN A TIMELY MANNER.

4 (4) IF THE DEPARTMENT DETERMINES THAT A FOSTER PARENT HAS
5 VIOLATED ANY OF THE PROVISIONS OF THE CHILDREN'S ASSURANCE OF
6 QUALITY FOSTER CARE POLICY DESCRIBED IN THIS SECTION, THE
7 DEPARTMENT SHALL INCLUDE IN THE CORRECTIVE ACTION PLAN IMPLEMENTED
8 TO ADDRESS THE VIOLATION ADDITIONAL TRAINING REQUIREMENTS FOR THAT
9 FOSTER PARENT.

10 (5) THE DEPARTMENT SHALL IMPLEMENT THE CHILDREN'S ASSURANCE OF
11 QUALITY FOSTER CARE POLICY NO LATER THAN 90 DAYS AFTER THE
12 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.

13 Enacting section 1. This amendatory act does not take effect
14 unless all of the following bills of the 98th Legislature are
15 enacted into law:

16 (a) Senate Bill No.____ or House Bill No. 4977 (request no.
17 00542'15 *).

18 (b) Senate Bill No.____ or House Bill No. 4978 (request no.
19 01442'15 *).