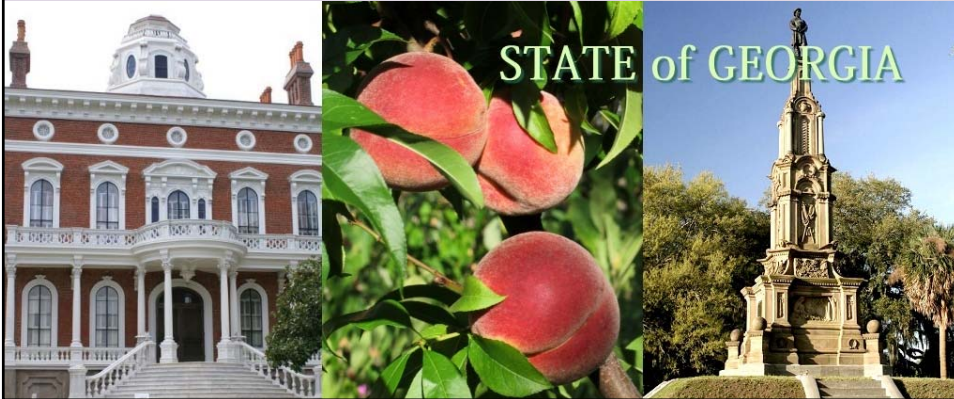


# 2009 Child Welfare Policy and Legislative Update



STATE of GEORGIA

## Overview of GA General Assembly

- House of Representatives and Senate convene annually on 2<sup>nd</sup> Monday in January
- Session lasts 40 days
  - Can be adjourned and reconvened by concurrent resolution
- Each chamber is organized each odd-numbered year
- Each session of the General Assembly lasts 2 years

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## How a bill becomes a law

- Idea
- Drafting
- Introduction (filed, read 1<sup>st</sup> time, read 2<sup>nd</sup> time)
- Committee assignment and action (hearing, testimony, vote, recommendations)
- Bill returned to House for 3<sup>rd</sup> reading, floor debate and vote (majority)
- Transmitted to Senate
- Submitted to Governor for signature/veto

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## Child Welfare Legislation

- HB 123 – expands offenses of child molestation and aggravated child molestation to include transmission by electronic means of indecent images to a child < age 16 with sexual intent
- HB 237 – allows adoption assistance payments to begin once the child has been placed for adoption, found eligible for assistance, and the adoption assistance agreement has been signed by the parties.

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## Child Welfare Legislation

- HB 254 – reduces the time allowed for a diligent search for relatives from 90 days to 30 days after removal in accordance with the Fostering Connections to Success and Increasing Adoptions act of 2008. Also requires that placements of children after TPR be made in accordance with the child’s permanency plan and a best interest determination.

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## Child Welfare Legislation

- HB 303 – allows a solicitor-general or assistant solicitor-general access to records concerning reports of child abuse
- SB 79 – allows limited access to available facts and information about a child abuse case resulting in a “near-fatality”
- SB 69 – expands definition of “sexual exploitation” in the mandatory reporting statute to include exploitation by persons not the child’s parent or caretaker.

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# Federal Child Welfare Legislation

- Fostering Connections to Success and Increasing Adoptions Act of 2008 (H.R. 6893)
  - Promoting permanent families
    - Notice to relatives when children enter foster care
    - Grants for Kinship Navigator Programs, Family Group Decision-Making meetings, Family Finding, Residential Family-Based Substance Treatment
    - Subsidized guardianship payments for relatives
    - Licensing standards for relatives
    - Incentives for adoption
    - Adoption assistance
    - Sibling placement

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## Fostering Connections Act (cont'd)

- Improving outcomes for children and youth
  - Extension of federal support for youth to age 21
  - Educational stability
  - Health care coordination
- Increased support for American Indian and Alaska Native Children
  - Direct access to federal support for tribes
  - Technical assistance and implementation services

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## Fostering Connections Act (cont'd)

- Improving the quality of staff working with children
  - Extended federal support for training of staff

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## “Open” Juvenile Courts

- SB 207 allows for public access to juvenile court deprivation proceedings, with limited exceptions. The court may close a proceeding that involves a sex offense or for the BIOC. The court may exclude a person if detrimental to BIOC, impair fact-finding process or otherwise contrary to interest of justice. Media requested not to release identifying information. Juvenile court deprivation files and records remain confidential.

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## Juvenile Justice Legislation

- HB 254 – reduces short-term program from 60 days to 30 days
- SB 246 – requires juvenile court intake officer to notify victims of serious violent felonies, stalking, and aggravated stalking, when a child accused or adjudicated of such an offense is released from detention. Notification would be required 24 hours in advance of the pre-adjudication release of the child and 48 hours in advance of the post-adjudication release of the child, IF the victim requests such notice

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## DHR Reorganization

- HB 228 – dismantles DHR to create Dept. of Public and Behavioral Health (DPH, MHDDAD) and the Dept. of Human Services (DFCS, Aging)
- SB 222 – dismantles DHR to create new Dept. of Health (DCH, DPH), Dept. of Human Services (DFCS, Aging), and Dept. of Behavioral Health (MHDDAD)

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# Budget

- FY 2009
  - DHR
    - Reduction in general administration
    - Reduction in non-Medicaid community-based services
    - Reduction in funding for child and adolescent substance abuse services
    - Eliminate remaining transportation funding
    - Reduce provider reimbursement rates

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# Budget

- FY 2010
  - Includes \$1.44B in federal stimulus funding available through American Recovery and Reinvestment Act (ARRA)
    - Increases in Medicaid FMAP from 65% to 75%, state fiscal stabilization funds, and program specific funds for programs administered by DOE and DFCS
    - Benefits to programs such as foster care, adoption assistance, child care services, and food stamp program
  - DHR cuts severe

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# Legislative Advocacy Resources

- State
  - Georgia General Assembly:  
[www.legis.state.ga.us](http://www.legis.state.ga.us)
    - House and Senate Budget Offices
    - Committees and Meeting Notices
    - Representatives/Senators by Name & District
  - Barton Child Law & Policy Clinic:  
[www.childwelfare.net](http://www.childwelfare.net)
- Federal
  - Children’s Defense Fund:  
[www.childrensdefense.org](http://www.childrensdefense.org)
  - Child Welfare League of America:  
[www.cwla.org](http://www.cwla.org)

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# Discussion: Policy Hot Topics

- Diversion / Family Support
- Administrative Procedures Act and Public Rulemaking
- Implementation of newly enacted state and federal laws
- CFSR / PIP

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# Questions?

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