

HOUSE BILL No. 5849

September 23, 2014, Introduced by Reps. Hovey-Wright, Slavens, Kurtz, Denby, Victory, Kosowski, Brown, Roberts, Potvin, Schmidt, Segal, Heise, Kesto, Poleski, Muxlow and Yonker 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) 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 THAT THE DEPARTMENT DEVELOPS AND MAINTAINS A
7 SPECIFIC POLICY OF THE PROVISIONS DESCRIBED IN SECTIONS 8B, 8C, AND
8 8D TO PROVIDE TO CHILDREN PLACED IN FOSTER CARE. THE SPECIFIC
9 POLICY DESCRIBED IN SECTIONS 8B, 8C, AND 8D SHALL BE KNOWN AS THE
10 CHILDREN'S ASSURANCE OF QUALITY FOSTER CARE POLICY.

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

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

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

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

23 (B) PLACEMENT WITH RELATIVES AND SIBLINGS, WHEN APPROPRIATE.

24 (C) INVENTORY AND SECURITY OF THE FOSTER CHILD'S PERSONAL
25 BELONGINGS.

26 (D) TRANSITION PLANNING, INCLUDING FINANCIAL EDUCATION, ACCESS
27 TO PERSONAL DOCUMENTS, INFORMATION REGARDING POST-SECONDARY

1 EDUCATION, AND INDEPENDENT LIVING PREPARATION, AS AGE-APPROPRIATE.

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

4 (F) ACCESS TO ADVOCACY SERVICES FOR FOSTER CHILDREN WITH
5 DISABILITIES.

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

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

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

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

19 (K) ACCESS TO AND PARTICIPATION IN RELIGIOUS ACTIVITIES,
20 CULTURAL ACTIVITIES, OR BOTH.

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

23 (M) INFORMATION REGARDING PROPOSED PLACEMENT, AS AGE-
24 APPROPRIATE.

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

1 (4) THE DEPARTMENT SHALL IMPLEMENT THE CHILDREN'S ASSURANCE OF
2 QUALITY FOSTER CARE POLICY BY NO LATER THAN JULY 1, 2015.

3 Enacting section 1. This amendatory act does not take effect
4 unless all of the following bills of the 97th Legislature are
5 enacted into law:

6 (a) Senate Bill No. _____ or House Bill No. 5850 (request no.
7 04971'14).

8 (b) Senate Bill No. _____ or House Bill No. 5851 (request no.
9 04972'14).