

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 971

Short Title: A Family For Every Child/Foster Care. (Public)

Sponsors: Representatives Avila, Samuelson, Burr, and Stam (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Health and Human Services, if favorable, Appropriations.

April 18, 2013

1 A BILL TO BE ENTITLED
2 AN ACT ESTABLISHING THE FAMILY FOR EVERY CHILD FOSTER CARE
3 INITIATIVE TO IMPROVE PERMANENCY OUTCOMES FOR CHILDREN LIVING
4 IN FOSTER CARE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 108A-50.2 reads as rewritten:
7 "**§ 108A-50.2. ~~Special Children Adoption Promotion Fund.~~**

8 (a) Funds appropriated by the General Assembly to the Department of Health and
9 Human Services, Division of Social Services, for the ~~Special Children Adoption Promotion~~
10 Fund shall be used as provided in this section. The Division of Social Services of the
11 Department of Health and Human Services, in consultation with the North Carolina
12 Association of County Directors of Social Services and representatives of licensed private
13 adoption agencies, shall develop guidelines for the awarding of funds to licensed public and
14 private adoption agencies upon the adoption of children described in G.S. 108A-50 and in
15 foster care. Payments received from the ~~Special Children Adoption Promotion Fund~~ by
16 participating agencies shall be used exclusively to enhance the adoption services. No local
17 match shall be required as a condition for receipt of these funds. In accordance with State rules
18 for allowable costs, the ~~Special Children Adoption Promotion Fund~~ may be used for
19 post-adoption services for families whose income exceeds two hundred percent (200%) of the
20 federal poverty level.

21 (b) Of the total funds appropriated for the ~~Special Children Adoption Promotion Fund~~
22 each year, twenty percent (20%) of the total funds available shall be reserved for payment to
23 participating private adoption agencies. If the funds reserved in this subsection for payments to
24 private agencies have not been spent on or before March 31 of each State fiscal year, the
25 Division of Social Services may reallocate those funds, in accordance with this section, to other
26 participating adoption agencies.

27 (c) The Division of Social Services shall monitor the total expenditures in the ~~Special~~
28 ~~Children Adoption Promotion Fund~~ and redistribute unspent funds to ensure that the funds are
29 used in accordance with the guidelines established in subsection (a) of this section."

30 **SECTION 2.** G.S. 131D-10.1 through G.S. 131D-10.9 are recodified as Part 1 of
31 Article 1A of Chapter 131D of the General Statutes.

32 **SECTION 3.** Article 1A of Chapter 131D of the General Statutes is amended by
33 adding the following new Part to read:

34 "Part 2. A Family For Every Child Initiative.
35 "**§ 131D-10.9A. Permanency Innovations Initiative Oversight Committee created.**



1 (a) Creation and Membership. – The Permanency Innovations Initiative Oversight
2 Committee is established. The Committee shall be located administratively in the General
3 Assembly. The Committee shall consist of 11 members serving staggered terms. In making
4 appointments, each appointing authority shall select members who have appropriate experience
5 and knowledge of the issues to be examined by the Committee and shall strive to ensure racial,
6 gender, and geographical diversity among the membership. The initial Committee members
7 shall be appointed on or after January 1, 2014, as follows:

8 (1) Four members shall be appointed by the General Assembly upon
9 recommendation of the Speaker of the House of Representatives. Of the
10 members appointed under this subdivision, at least one shall be a member of
11 the judiciary who shall serve for a term of two years and at least one shall be
12 a representative from the Children's Home Society of North Carolina who
13 shall serve for a term of three years. The remaining two appointees shall
14 each serve a one-year term.

15 (2) Four members shall be appointed by the General Assembly upon the
16 recommendation of the President Pro Tempore of the Senate. Of the
17 members appointed under this subdivision, at least one shall be a
18 representative from the Department of Health and Human Services, Division
19 of Social Services, who shall serve for a term of two years and at least one
20 shall be a representative from The Duke Endowment who shall serve for a
21 term of three years. The remaining two appointees shall each serve a
22 one-year term.

23 (3) Three members shall be appointed by the Governor. Of the members
24 appointed under this subdivision, at least one shall be a representative from a
25 county department of social services who shall serve for a term of three
26 years and at least one shall be a representative from the University of North
27 Carolina at Chapel Hill who shall serve for a term of two years. The
28 remaining member shall serve a one-year term.

29 (b) Terms. – Upon the expiration of the terms of the initial Committee members, each
30 member shall be appointed for a term of three years and shall serve until a successor is
31 appointed. No member may serve more than two consecutive full terms. A vacancy shall be
32 filled within 30 days by the authority making the initial appointment.

33 (c) Purpose and Powers. – The Committee shall:

34 (1) Design and implement a data tracking methodology to collect and analyze
35 information to gauge the success of the initiative.

36 (2) Develop a methodology to identify short- and long-term cost-savings in the
37 provision of foster care and any potential reinvestment strategies.

38 (3) Oversee program implementation to ensure fidelity to the program models
39 identified under subdivisions (1) and (2) of G.S. 131D-10.9B.

40 (4) Study, review, and recommend other policies and services that may
41 positively impact permanency and well-being outcomes.

42 (d) Reports. – The Committee shall report its analysis and any findings and
43 recommendations to the General Assembly by September 15 of each year.

44 (e) Organization. – The President Pro Tempore of the Senate and the Speaker of the
45 House of Representatives shall each designate a cochair of the Committee. The Committee
46 shall meet at least once a quarter upon the joint call of the cochairs. A quorum of the
47 Committee is seven members. No action may be taken except by a majority vote at a meeting at
48 which a quorum is present.

49 (f) Funding. – From funds available to the General Assembly, the Legislative Services
50 Commission shall allocate monies to fund the work of the Committee. Members of the

1 Committee shall receive subsistence and travel expenses as provided in G.S. 120-3.1 and
2 G.S. 138-5.

3 (g) Staff. – The Legislative Services Commission, through the Legislative Services
4 Officer, shall assign professional staff to assist the Committee in its work. Upon the direction
5 of the Legislative Services Commission, the Director of Legislative Assistants of the Senate
6 and of the House of Representatives shall assign clerical staff to the Committee. The expenses
7 for clerical employees shall be borne by the Committee.

8 **"§ 131D-10.9B. Permanency Innovations Initiative Fund.**

9 (a) There is created a Permanency Innovation Initiative Fund (Fund) that will support a
10 demonstration project with services provided by Children's Home Society of North Carolina to
11 (i) improve permanency outcomes for children living in foster care through reunification with
12 parents, providing placement or guardianship with other relatives, or adoption, (ii) improve
13 engagement with biological relatives of children in or at risk of entering foster care, and (iii)
14 reduce costs associated with maintaining children in foster care. In implementing these goals,
15 the Fund shall support the following strategies:

16 (1) Family Finding, which is a program that uses intensive biological family
17 engagement services to discover and engage biological relatives of children
18 living in public foster care to provide permanent emotional and relational
19 support, including adoption, legal guardianship, or legal custody.

20 (2) Child Specific Adoption Recruitment Services, which is a program that
21 follows the Wendy's Wonderful Kids Model as developed by The Dave
22 Thomas Foundation for Adoption and works with children in public foster
23 care to develop and execute adoption recruitment plans tailored to the needs
24 of the individual child.

25 (3) Permanency Training Services, which are services delivered by Children's
26 Home Society of North Carolina to assess the readiness of county
27 departments of social services to implement the permanency strategies under
28 subdivisions (1) and (2) of this subsection and provide training services to
29 support the delivery of the services.

30 (b) This program shall not constitute an entitlement and is subject to the availability of
31 funds.

32 (c) The Social Services Commission shall adopt rules to implement the provisions of
33 this section."

34 **SECTION 4.** There is appropriated from the General Fund to the Department of
35 Health and Human Services, Division of Social Services, the sum of one million five hundred
36 thousand dollars (\$1,500,000) for the 2013-2014 fiscal year and the sum of one million five
37 hundred thousand dollars (\$1,500,000) for the 2014-2015 fiscal year to be used to restore
38 funding to the Adoption Promotion Fund to (i) reimburse private nonprofit organizations
39 pursuant to performance-based contracts to support adoption programs and (ii) provide a
40 financial incentive to public county departments of social services to complete adoptions above
41 an established baseline.

42 **SECTION 5.** There is appropriated from the General Fund to the Department of
43 Health and Human Services, Division of Social Services, the sum of two million five hundred
44 thousand dollars (\$2,500,000) for the 2013-2014 fiscal year and the sum of four million two
45 hundred fifty thousand dollars (\$4,250,000) for the 2014-2015 fiscal year to be used solely for
46 the Permanency Innovations Initiative Fund for services provided by the Children's Home
47 Society of North Carolina as established in Section 2 of this act.

48 **SECTION 6.** This act becomes effective July 1, 2013.