

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

Legislative Fiscal Note

BILL NUMBER: Senate Bill 423 (First Edition)

SHORT TITLE: Foster Care Family Act.

SPONSOR(S): Senators Barringer, Harrington, and Tucker

FISCAL IMPACT					
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> No Estimate Available		
	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
State Impact					
General Fund Revenues:	\$11,087	\$14,829	\$15,033	\$15,264	\$15,474
General Fund Expenditures:	\$58,354	\$78,048	\$79,123	\$80,334	\$81,442
Special Fund Revenues:					
Special Fund Expenditures:					
State Positions:	1.0	1.0	1.0	1.0	1.0
NET STATE IMPACT	(\$47,267)	(\$63,219)	(\$64,090)	(\$65,070)	(\$65,968)
Local Impact					
Revenues:					
Expenditures:					
NET LOCAL IMPACT	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Department of Health and Human Services, Foster Care Program					
EFFECTIVE DATE: Parts 2 and 4 of this bill have an effective date of December 1, 2015; the remainder of the bill is effective when it becomes law.					
TECHNICAL CONSIDERATIONS: None					

BILL SUMMARY:

This bill establishes a reasonable and prudent parenting standard for caregivers of foster care children, including foster parents, child caring institutions and Department of Health and Human Services (DHHS).

DHHS is required to make diligent efforts to notify relatives and any custodial parents of the juvenile's siblings that the juvenile is in nonsecure custody and of nonsecure custody hearings.

The bill requires the court to consider whether parents with custody of a sibling of the juvenile have been identified and notified as potential resources for placement and support prior to the adjudicatory hearing, and further requires the court to inquire about efforts made to identify and

notify parents with custody of a sibling of the as potential resources for placement and support at the disposition hearing.

Requirements are added for every permanency planning hearing for a juvenile in the custody of DSS who is age 14 years or more that, the court inquire and make written findings regarding the child's transition to adulthood and whether another planned permanent living arrangement would be an appropriate permanent plan for the juvenile.

The insurance law is amended to require the Rate Bureau to develop an optional policy form or endorsement that provides liability insurance to licensed foster parents.

The bill amends the law to deem minors 16 years or older in the custody of the DSS competent to contract for the purchase of an automobile insurance policy. The bill allows an application for a permit or license to be signed by both the applicant and specified other person when the applicant is in the legal custody of the DSS.

The law is amended to provide that the owner of a motor vehicle who is a foster parent does not violate the Financial Responsibility Act by allowing their foster child to operate their motor vehicle when the foster child is covered by a nonowner motor vehicle insurance policy.

The bill requires the DHHS, Division of Medical Assistance to design and draft, but not submit a 1915 (c) Medicaid waiver to serve children with Serious Emotional Disturbance (SED) in home and community-based settings. DHHS must report on the draft waiver, other findings, and any other options or recommendations to best serve children with SED to the Joint Legislative Oversight Committee on Health and Human Services by December 1, 2015.

ASSUMPTIONS AND METHODOLOGY:

The Division of Social Services indicates one position is needed to be the lead coordinator for developing the administrative rules and policy regarding the application of the reasonable and prudent parent standard, often referred to as “normalcy”. This position will also provide the training for all licensed placement settings to enact the rules and policies. The position is a Social Services Program Coordinator. The federal receipts are Title IV-E receipts estimated at 19% of the cost of the position.

The Administrative Office of the Courts and the Department of Insurance report no costs associated with this bill. Both departments report that there would be no significant impact to workloads due to this bill.

SOURCES OF DATA: Division of Social Services, Department of Insurance, Administrative Office of the Courts

TECHNICAL CONSIDERATIONS: None

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DATE: April 29, 2015



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