

AMENDED IN SENATE JUNE 27, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 119

**Introduced by ~~Assembly Member Gabriel~~ Committee on Budget
(Assembly Members Gabriel (Chair), Addis, Ahrens, Alvarez,
Bennett, Bonta, Connolly, Fong, Haney, Hart, Jackson, Lee,
Muratsuchi, Ortega, Patel, Petrie-Norris, Quirk-Silva, Ramos,
Rogers, Schiavo, Schultz, Sharp-Collins, Solache, Ward, and
Wilson)**

January 8, 2025

An act relating to the Budget Act of 2025, to amend Section 11165.7 of the Penal Code, to amend Sections 706.5, 10544, 11323.2, 11325.15, 11325.2, 11327.4, 11327.5, 11461, 15771, 16501, 16504, 16523.1, 16560, 16562, 16587, 18901.58, and 18999.4 of, to amend, repeal, and add Sections 11320.1, 11322.6, 11325.22, 11325.4 of, to add Sections 11327.41, 16544.5, and 18950.1 to, to repeal Sections 11325.6 and 11326 of, and to repeal and add Sections 358.2 and 366.2 of, the Welfare and Institutions Code, and to amend Section 57 of Chapter 86 of the Statutes of 2021, relating to public social services, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

AB 119, as amended, ~~Gabriel~~ Committee on Budget. Budget Act of 2025. Public social services trailer bill.

(1) Existing law, the Child Abuse and Neglect Reporting Act, establishes procedures for the reporting and investigation of suspected child abuse or neglect. The act requires certain professionals, including specified health practitioners and social workers, known as “mandated

reporters,” to report known or reasonably suspected child abuse or neglect to a local law enforcement agency or a county welfare or probation department, as specified.

This bill would exclude from the definition of “mandated reporter” a licensee, administrator, or employee of a community care facility that exclusively serves adults and seniors. The bill would require the State Department of Social Services, through the State Office of Child Abuse Prevention, to, by no later than July 1, 2027, develop, with participation from specified individuals, including, among others, county child welfare agencies, a standardized curriculum for mandated reporters, and to make that training available on an internet website. The bill would, except as provided, require an employer having one or more mandated reporters to encourage completion of the training by their mandated reporters within the first 3 months of the mandated reporter’s employment, or on or before March 1, 2030, whichever is later. By imposing additional duties on counties, this bill would impose a state-mandated local program.

Existing law establishes the California Child Welfare Council to serve as an advisory board responsible for improving the collaboration and processes of the multiple agencies and the courts that serve the children and youth in the child welfare and foster care systems. Existing law requires the council to monitor and report the extent to which child welfare and foster care programs and the courts are responsive to the needs of children in their joint care.

This bill would require the California Child Welfare Council to establish a Mandated Reporting Advisory Committee, with specified membership, including, among others, representatives from county agencies, and would state the intent of the Legislature that the committee ensure the transformation of mandated reporting to community supporting continues and disparities in the child welfare system are eliminated. By imposing additional duties on counties, this bill would impose a state-mandated local program.

The federal Family First Prevention Services Act provides a state with the option to use certain federal funds to provide mental health and substance abuse prevention and treatment services and in-home parent skill-based programs to a child who is a candidate for foster care or a child in foster care who is a pregnant or parenting foster youth, as specified. Existing state law authorizes a county to elect to provide those prevention services by providing a written plan to the State Department of Social Services, which has oversight of the Family

First Prevention Services program. Existing law requires the county to consult with other relevant county agencies, as specified, in the development of the plan.

The bill would require each county's written plan to include the county's plans to provide information for mandated reporters regarding resources available to support families in their communities, as specified.

(2) Existing federal law establishes the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing law requires the State Department of Social Services to, on or before July 1, 2025, develop a methodology for estimating the CalFresh participation rate and identifying characteristics of Californians who are eligible for, but not receiving, CalFresh benefits, and to utilize that data to develop informed and targeted outreach strategies.

This bill would delay the deadline by which the department is required to develop that methodology to July 1, 2026, and would also require the department to, on or before July 1, 2027, develop a strategic plan for how the department's methodology and outreach strategies may be implemented and executed to maximize benefits to those eligible for CalFresh benefits.

(3) Existing law establishes the Home Safe Program, the Bringing Families Home Program, and the Housing and Disability Income Advocacy Program, administered by the State Department of Social Services, to provide certain homelessness- or housing-related assistance or supports to eligible individuals through grant awards to counties or tribes. Under existing law, grantees under the Home Safe Program and the Bringing Families Home Program are required to match the funding on a dollar-for-dollar basis but are exempt from that requirement during specified multiyear periods.

This bill would indefinitely extend the exemption from dollar matching for grantees under the Home Safe Program and the Bringing Families Home Program.

Existing law requires a grantee under the Housing and Disability Income Advocacy Program to seek reimbursement of funds, as specified, and to expend funds received as reimbursement for housing assistance only on additional housing assistance for clients receiving services

under the program. Existing law waives the requirement to seek reimbursement of funds through June 30, 2026.

This bill would indefinitely extend the waiver for a program grantee to seek reimbursement, as specified.

(4) Existing law establishes the jurisdiction of the juvenile court, which may adjudge a child to be a dependent of the court under certain circumstances, including when the child suffered, or there is a substantial risk that the child will suffer, serious physical harm, or a parent fails to provide the child with adequate food, clothing, shelter, or medical treatment. Existing law establishes the grounds for removal of a dependent child from the custody of the child's parents or guardian and establishes procedures to determine placement of a dependent child. Existing law prescribes various hearings, including specified review hearings, and other procedures for these purposes. Existing law requires a child and family team, as defined, to perform specified child and family determination functions. Existing law defines a child and family team meeting as a convening of all or some members of the child and family team and requires a child and family team meeting to conform to specified requirements, including, among others, that a notification be provided to the child or youth, their parent or guardian, and the caregiver upon the scheduling of a meeting, and that the child's court-appointed educational rights holder be invited to the meeting under certain circumstances.

This bill would require the placing agency to document the occurrence and summary of the child and family team meeting on a specified form developed by the State Department of Social Services with any necessary redactions, and would require that a copy of each child and family team action plan completed on or after January 1, 2026, and not previously provided to the court, be attached to the above-described court report. By requiring additional duties of the placing agency, this bill would impose a state-mandated local program.

(5) Existing law establishes a Tiered Rate Structure, as specified, upon which the per child per month rate for every child in foster care would be based. The Tiered Rate Structure is based on the use of the Integrated Practice-Child and Adolescent Needs and Strengths (IP-CANS) assessment tool, as defined. The Tiered Rate Structure includes 3 components, including an amount paid to the foster care provider for care and supervision of the child, as defined, a strengths building allocation to provide for a child's strengths building objectives, as identified by the IP-CANS, and an immediate needs allocation to

provide for the child's immediate needs, and would establish 3 payment tiers, as specified. Existing law prescribes various duties of county placing agencies relating to the implementation of the Tiered Rate Structure, including, but not limited to, ensuring completion of IP-CANS assessments for every child and nonminor dependent placed in foster care under the care, custody, and control of the placing agency.

Existing law requires the 3 components of the Tiered Rate Structure to become operative on July 1, 2027, or the date that the State Department of Social Services notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement the Tiered Rate Structure, whichever is later.

This bill would instead require all placing agencies, beginning January 1, 2026, to ensure completion of the IP-CANS assessments for every child and nonminor dependent placed in foster care under the care and supervision of the placing agency in accordance with standards and guidelines developed by the State Department of Social Services. The bill would require the IP-CANS assessment to be informed by members of the child and family team, as specified. The bill would require the placing agency to ensure completion of the IP-CANS assessment and entry into the statewide child welfare information system for each child or nonminor dependent within 60 days of their entry or reentry into foster care or within 30 days in the case of an Indian child. The bill would require the placing agency to ensure completion of a new or updated IP-CANS assessment for each child or nonminor dependent at least once every 6 months and more frequently to address the needs or changing circumstances of the child or nonminor dependent as directed by the State Department of Social Services. Under the bill, the components of the Tiered Rate Structure will be effective on the date on which the IP-CANS assessment is completed and entered into the statewide child welfare information system or 60 days after the child enters or reenters foster care, whichever comes first. The bill would require, if the IP-CANS assessment is not completed and entered into the statewide child welfare information system within 60 days of a child's entry or reentry into foster care, the components of the Tiered Rate Structure to be effective retroactive to 60 days after the child enters or reenters foster care.

The bill would specify the rates to be paid for the components of the Tiered Rate Structure, and require the entry rate to be adjusted, beginning July 1, 2028, as specified. The bill would instead make the 3 components of the Tiered Rate Structure become operative on July

1, 2027, or the date after (1) the State Department of Social Services notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement the Tiered Rate Structure and (2) the Legislature makes an appropriation for the express purpose of implementing the Tiered Rate Structure, whichever is later.

Existing law establishes the Immediate Needs Program, to provide an array of integrated services and supports based on the immediate needs, as defined, of children who fall into Tier 2 or Tier 3 of the Tiered Rate Structure, pursuant to the IP-CANS assessment. Existing law requires the immediate needs funding for a child to be based on their tier, as determined by the IP-CANS. Existing law requires each placing agency be provided funding to support the Immediate Needs Program, and the State Department of Social Services is required to utilize a reconciliation process to adjust biannual funding as needed to ensure the placing agency has sufficient funding to provide for the immediate needs of each eligible child or nonminor dependent.

This bill would instead require each placing agency be provided funding consisting of the total amount of Immediate Needs Funding for all eligible children and nonminor dependents in Tiers 2, 3, and 3+ who are under the placing agency's care and supervision using a methodology developed by the State Department of Social Services, as specified.

By revising the duties required of placing agencies, this bill would impose a state-mandated local program.

(6) Existing law authorizes the State Department of Social Services and the State Department of Health Care Services to issue all-county letters or similar instructions, as specified, to implement specified provisions until regulations are adopted. Existing law requires regulations to be adopted no later than July 1, 2024.

This bill would extend the deadline by which regulations need to be adopted to January 1, 2030. The bill would also authorize the State Department of Social Services and the State Department of Health Care Services to issue all-county letters or similar instructions, as specified, for the purpose of this bill, until regulations are adopted no later than January 1, 2030.

(7) Existing law establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families using federal, state, and county funds. Existing law generally

requires a recipient of CalWORKs to participate in welfare-to-work activities as a condition of eligibility. Existing law further specifies the sequence of employment-related activities a welfare-to-work participant is required to undertake, which includes a requirement that the participant receive orientation and appraisal, participate in job search and job club, be referred for assessment and establishment of a welfare-to-work plan, and participate in work activities. Existing law establishes a list of the activities that qualify as welfare-to-work activities for inclusion in the welfare-to-work plan, which includes, among other things, unsubsidized employment, adult basic education, and job skills training directly related to employment. Existing law also requires that necessary supportive services be available to participants in welfare-to-work activities, including transportation costs, which are governed by regional market rates as determined in accordance with regulations established by the State Department of Social Services.

This bill would, among other things, require recipients to receive a combined appraisal and orientation to the welfare-to-work program, as specified, require counties to schedule for certain recipients an assessment that evaluates their strengths and skills, and require counties to regularly review the family assistance plan with the participant. This bill would revise the list of activities that qualify as welfare-to-work activities by, among other things, including barrier removal services, and would also make participation in job search and job club optional. This bill would specify that transportation services may include bus passes, mileage reimbursement, and car ownership programs, among other things, and would also specify that transportation costs include the payment for transporting a participant's children, as specified. The bill would require all payments for transportation to be advanced to participants, as specified.

Existing law requires the imposition of sanctions, as appropriate, if an individual has failed or refused to comply with program requirements without good cause and conciliation efforts have failed. Existing law requires the termination of the sanction at any point if the noncomplying participant performs the activity or activities that they previously refused to perform.

This bill would instead require the termination of sanctions if the participant indicates to the county verbally or in writing that they want to cure their sanction and begin participating in welfare-to-work activities, or the county verifies or otherwise discovers that the individual is or has been meeting the federally required minimum

average number of hours per week of welfare-to-work participation. The bill would prohibit the imposition of sanctions during the first 90 days after an individual is determined eligible for aid, and would require, prior to the imposition of sanctions, the county to verify that the participant had secured childcare.

The bill would make the above-described provisions operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the California Statewide Automated Welfare System can perform the necessary automation to implement those provisions. The bill would authorize the State Department of Social Services to implement, interpret, or make specific the above-described provisions by means of all-county letters or similar written instructions from the department until regulations are adopted.

By increasing the duties of counties administering the CalWORKs program, the bill would impose a state-mandated local program.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would provide that the continuous appropriation would not be made for the purposes of implementing the bill.

(8) This bill would appropriate \$100,000 from the Federal Trust Fund to the State Department of Social Services for child welfare programs.

(9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(10) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2025.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11165.7 of the Penal Code is amended
2 to read:

3 11165.7. (a) As used in this article, “mandated reporter” is
4 defined as any of the following:

5 (1) A teacher.

6 (2) An instructional aide.

7 (3) A teacher’s aide or teacher’s assistant employed by a public
8 or private school.

9 (4) A classified employee of a public school.

10 (5) An administrative officer or supervisor of child welfare and
11 attendance, or a certificated pupil personnel employee of a public
12 or private school.

13 (6) An administrator of a public or private day camp.

14 (7) An administrator or employee of a public or private youth
15 center, youth recreation program, or youth organization.

16 (8) An administrator, board member, or employee of a public
17 or private organization whose duties require direct contact and
18 supervision of children, including a foster family agency.

19 (9) An employee of a county office of education or the State
20 Department of Education whose duties bring the employee into
21 contact with children on a regular basis.

22 (10) A licensee, an administrator, or an employee of a licensed
23 ~~community care or child day care facility.~~ *child daycare facility or*
24 *community care facility, except those licensed community care*
25 *facilities exclusively serving adults and seniors.*

26 (11) A Head Start program teacher.

27 (12) A licensing worker or licensing evaluator employed by a
28 licensing agency, as defined in Section 11165.11.

29 (13) A public assistance worker.

30 (14) An employee of a childcare institution, including, but not
31 limited to, foster parents, group home personnel, and personnel of
32 residential care facilities.

33 (15) A social worker, probation officer, or parole officer.

34 (16) An employee of a school district police or security
35 department.

36 (17) A person who is an administrator or presenter of, or a
37 counselor in, a child abuse prevention program in a public or
38 private school.

1 (18) A district attorney investigator, inspector, or local child
2 support agency caseworker, unless the investigator, inspector, or
3 caseworker is working with an attorney appointed pursuant to
4 Section 317 of the Welfare and Institutions Code to represent a
5 minor.

6 (19) A peace officer, as defined in Chapter 4.5 (commencing
7 with Section 830) of Title 3 of Part 2, who is not otherwise
8 described in this section.

9 (20) A firefighter, except for volunteer firefighters.

10 (21) A physician and surgeon, psychiatrist, psychologist, dentist,
11 resident, intern, podiatrist, chiropractor, licensed nurse, dental
12 hygienist, optometrist, marriage and family therapist, clinical social
13 worker, professional clinical counselor, or any other person who
14 is currently licensed under Division 2 (commencing with Section
15 500) of the Business and Professions Code.

16 (22) An emergency medical technician I or II, paramedic, or
17 other person certified pursuant to Division 2.5 (commencing with
18 Section 1797) of the Health and Safety Code.

19 (23) A psychological assistant registered pursuant to Section
20 2913 of the Business and Professions Code.

21 (24) A marriage and family therapist trainee, as defined in
22 subdivision (c) of Section 4980.03 of the Business and Professions
23 Code.

24 (25) An unlicensed associate marriage and family therapist
25 registered under Section 4980.44 of the Business and Professions
26 Code.

27 (26) A state or county public health employee who treats a minor
28 for venereal disease or any other condition.

29 (27) A coroner.

30 (28) A medical examiner or other person who performs
31 autopsies.

32 (29) A commercial film and photographic print or image
33 processor as specified in subdivision (e) of Section 11166. As used
34 in this article, “commercial film and photographic print or image
35 processor” means a person who develops exposed photographic
36 film into negatives, slides, or prints, or who makes prints from
37 negatives or slides, or who prepares, publishes, produces, develops,
38 duplicates, or prints any representation of information, data, or an
39 image, including, but not limited to, any film, filmstrip, photograph,
40 negative, slide, photocopy, videotape, video laser disc, computer

1 hardware, computer software, computer floppy disk, data storage
2 medium, CD-ROM, computer-generated equipment, or
3 computer-generated image, for compensation. The term includes
4 any employee of that person; it does not include a person who
5 develops film or makes prints or images for a public agency.

6 (30) A child visitation monitor. As used in this article, “child
7 visitation monitor” means a person who, for financial
8 compensation, acts as a monitor of a visit between a child and
9 another person when the monitoring of that visit has been ordered
10 by a court of law.

11 (31) An animal control officer or humane society officer. For
12 the purposes of this article, the following terms have the following
13 meanings:

14 (A) “Animal control officer” means a person employed by a
15 city, county, or city and county for the purpose of enforcing animal
16 control laws or regulations.

17 (B) “Humane society officer” means a person appointed or
18 employed by a public or private entity as a humane officer who is
19 qualified pursuant to Section 14502 or 14503 of the Corporations
20 Code.

21 (32) A clergy member, as specified in subdivision (d) of Section
22 11166. As used in this article, “clergy member” means a priest,
23 minister, rabbi, religious practitioner, or similar functionary of a
24 church, temple, or recognized denomination or organization.

25 (33) Any custodian of records of a clergy member, as specified
26 in this section and subdivision (d) of Section 11166.

27 (34) An employee of any police department, county sheriff’s
28 department, county probation department, or county welfare
29 department.

30 (35) An employee or volunteer of a Court Appointed Special
31 Advocate program, as defined in Rule 5.655 of the California Rules
32 of Court.

33 (36) A custodial officer, as defined in Section 831.5.

34 (37) A person providing services to a minor child under Section
35 12300 or 12300.1 of the Welfare and Institutions Code.

36 (38) An alcohol and drug counselor. As used in this article, an
37 “alcohol and drug counselor” is a person providing counseling,
38 therapy, or other clinical services for a state licensed or certified
39 drug, alcohol, or drug and alcohol treatment program. However,

1 alcohol or drug abuse, or both alcohol and drug abuse, is not, in
2 and of itself, a sufficient basis for reporting child abuse or neglect.

3 (39) A clinical counselor trainee, as defined in subdivision (g)
4 of Section 4999.12 of the Business and Professions Code.

5 (40) An associate professional clinical counselor registered
6 under Section 4999.42 of the Business and Professions Code.

7 (41) An employee or administrator of a public or private
8 postsecondary educational institution, whose duties bring the
9 administrator or employee into contact with children on a regular
10 basis, or who supervises those whose duties bring the administrator
11 or employee into contact with children on a regular basis, as to
12 child abuse or neglect occurring on that institution's premises or
13 at an official activity of, or program conducted by, the institution.
14 Nothing in this paragraph shall be construed as altering the
15 lawyer-client privilege as set forth in Article 3 (commencing with
16 Section 950) of Chapter 4 of Division 8 of the Evidence Code.

17 (42) An athletic coach, athletic administrator, or athletic director
18 employed by any public or private school that provides any
19 combination of instruction for kindergarten, or grades 1 to 12,
20 inclusive.

21 (43) (A) A commercial computer technician as specified in
22 subdivision (e) of Section 11166. As used in this article,
23 "commercial computer technician" means a person who works for
24 a company that is in the business of repairing, installing, or
25 otherwise servicing a computer or computer component, including,
26 but not limited to, a computer part, device, memory storage or
27 recording mechanism, auxiliary storage recording or memory
28 capacity, or any other material relating to the operation and
29 maintenance of a computer or computer network system, for a fee.
30 An employer who provides an electronic communications service
31 or a remote computing service to the public shall be deemed to
32 comply with this article if that employer complies with Section
33 2258A of Title 18 of the United States Code.

34 (B) An employer of a commercial computer technician may
35 implement internal procedures for facilitating reporting consistent
36 with this article. These procedures may direct employees who are
37 mandated reporters under this paragraph to report materials
38 described in subdivision (e) of Section 11166 to an employee who
39 is designated by the employer to receive the reports. An employee
40 who is designated to receive reports under this subparagraph shall

1 be a commercial computer technician for purposes of this article.
2 A commercial computer technician who makes a report to the
3 designated employee pursuant to this subparagraph shall be deemed
4 to have complied with the requirements of this article and shall be
5 subject to the protections afforded to mandated reporters, including,
6 but not limited to, those protections afforded by Section 11172.

7 (44) Any athletic coach, including, but not limited to, an
8 assistant coach or a graduate assistant involved in coaching, at
9 public or private postsecondary educational institutions.

10 (45) An individual certified by a licensed foster family agency
11 as a certified family home, as defined in Section 1506 of the Health
12 and Safety Code.

13 (46) An individual approved as a resource family, as defined in
14 Section 1517 of the Health and Safety Code and Section 16519.5
15 of the Welfare and Institutions Code.

16 (47) A qualified autism service provider, a qualified autism
17 service professional, or a qualified autism service paraprofessional,
18 as defined in Section 1374.73 of the Health and Safety Code and
19 Section 10144.51 of the Insurance Code.

20 (48) A human resource employee of a business subject to Part
21 2.8 (commencing with Section 12900) of Division 3 of Title 2 of
22 the Government Code that employs minors. For purposes of this
23 section, a “human resource employee” is the employee or
24 employees designated by the employer to accept any complaints
25 of misconduct as required by Chapter 6 (commencing with Section
26 12940) of Part 2.8 of Division 3 of Title 2 of the Government
27 Code.

28 (49) An adult person whose duties require direct contact with
29 and supervision of minors in the performance of the minors’ duties
30 in the workplace of a business subject to Part 2.8 (commencing
31 with Section 12900) of Division 3 of Title 2 of the Government
32 Code is a mandated reporter of sexual abuse, as defined in Section
33 11165.1. Nothing in this paragraph shall be construed to modify
34 or limit the person’s duty to report known or suspected child abuse
35 or neglect when the person is acting in some other capacity that
36 would otherwise make the person a mandated reporter.

37 (b) Except as provided in paragraph (35) of subdivision (a),
38 volunteers of public or private organizations whose duties require
39 direct contact with and supervision of children are not mandated
40 reporters but are encouraged to obtain training in the identification

1 and reporting of child abuse and neglect and are further encouraged
2 to report known or suspected instances of child abuse or neglect
3 to an agency specified in Section 11165.9.

4 (c) (1) Except as provided in subdivision (d) and paragraph (2),
5 employers are strongly encouraged to provide their employees
6 who are mandated reporters with training in the duties imposed
7 by this article. This training shall include training in child abuse
8 and neglect identification and training in child abuse and neglect
9 reporting. Whether or not employers provide their employees with
10 training in child abuse and neglect identification and reporting,
11 the employers shall provide their employees who are mandated
12 reporters with the statement required pursuant to subdivision (a)
13 of Section 11166.5.

14 (2) Employers subject to paragraphs (48) and (49) of subdivision
15 (a) shall provide their employees who are mandated reporters with
16 training in the duties imposed by this article. This training shall
17 include training in child abuse and neglect identification and
18 training in child abuse and neglect reporting. The training
19 requirement may be met by completing the general online training
20 for mandated reporters offered by the Office of Child Abuse
21 Prevention in the State Department of Social Services.

22 (d) Pursuant to Section 44691 of the Education Code, school
23 districts, county offices of education, state special schools and
24 diagnostic centers operated by the State Department of Education,
25 and charter schools shall annually train their employees and persons
26 working on their behalf specified in subdivision (a) in the duties
27 of mandated reporters under the child abuse reporting laws. The
28 training shall include, but not necessarily be limited to, training in
29 child abuse and neglect identification and child abuse and neglect
30 reporting.

31 (e) (1) On and after January 1, 2018, pursuant to Section
32 1596.8662 of the Health and Safety Code, a childcare licensee
33 applicant shall take training in the duties of mandated reporters
34 under the child abuse reporting laws as a condition of licensure,
35 and a childcare administrator or an employee of a licensed child
36 daycare facility shall take training in the duties of mandated
37 reporters during the first 90 days when that administrator or
38 employee is employed by the facility.

39 (2) A person specified in paragraph (1) who becomes a licensee,
40 administrator, or employee of a licensed child daycare facility shall

1 take renewal mandated reporter training every two years following
2 the date on which that person completed the initial mandated
3 reporter training. The training shall include, but not necessarily be
4 limited to, training in child abuse and neglect identification and
5 child abuse and neglect reporting.

6 (f) Unless otherwise specifically provided, the absence of
7 training shall not excuse a mandated reporter from the duties
8 imposed by this article.

9 (g) Public and private organizations are encouraged to provide
10 their volunteers whose duties require direct contact with and
11 supervision of children with training in the identification and
12 reporting of child abuse and neglect.

13 *SEC. 2. Section 358.2 of the Welfare and Institutions Code is*
14 *repealed.*

15 ~~358.2. If the county has produced a summary report or an action~~
16 ~~plan of the child and family team meeting for use by the team~~
17 ~~members, a copy of that report or action plan with any necessary~~
18 ~~redactions made may be attached to the court report that is prepared~~
19 ~~pursuant to Section 358.1.~~

20 *SEC. 3. Section 358.2 is added to the Welfare and Institutions*
21 *Code, to read:*

22 358.2. The court report prepared pursuant to Section 358.1
23 shall include a copy of each child and family team action plan, as
24 required by subparagraph (B) of paragraph (5) of subdivision (a)
25 of Section 16501, that is completed on or after January 1, 2026,
26 and was not previously provided to the court.

27 *SEC. 4. Section 366.2 of the Welfare and Institutions Code is*
28 *repealed.*

29 ~~366.2. If the county has produced a summary report or an action~~
30 ~~plan of the child and family team meeting for use by the team~~
31 ~~members, a copy of that report or action plan with any necessary~~
32 ~~redactions made may be attached to the court report that is prepared~~
33 ~~pursuant to Section 366.1.~~

34 *SEC. 5. Section 366.2 is added to the Welfare and Institutions*
35 *Code, to read:*

36 366.2. The court report prepared pursuant to Section 366.1
37 shall include a copy of each child and family team action plan, as
38 required by subparagraph (B) of paragraph (5) of subdivision (a)
39 of Section 16501, that is completed on or after January 1, 2026,
40 and was not previously provided to the court.

1 *SEC. 6. Section 706.5 of the Welfare and Institutions Code is*
2 *amended to read:*

3 706.5. (a) If placement in foster care is recommended by the
4 probation officer, or where the minor is already in foster care
5 placement or pending placement pursuant to an earlier order, the
6 social study prepared by the probation officer that is received into
7 evidence at disposition pursuant to Section 706 shall include a
8 case plan, as described in Section 706.6. If the court elects to hold
9 the first status review at the disposition hearing, the social study
10 shall also include, but not be limited to, the factual material
11 described in subdivision (c).

12 (b) If placement in foster care is not recommended by the
13 probation officer prior to disposition, but the court orders foster
14 care placement, the court shall order the probation officer to prepare
15 a case plan, as described in Section 706.6, within 30 days of the
16 placement order. The case plan shall be filed with the court.

17 (c) At each status review hearing, the social study shall include,
18 but not be limited to, an updated case plan as described in Section
19 706.6 and the following information:

20 (1) (A) The continuing necessity for and appropriateness of the
21 placement.

22 (B) On and after October 1, 2021, for the minor or nonminor
23 dependent whose placement in a short-term residential therapeutic
24 program has been reviewed and approved, and, on and after July
25 1, 2022, for the minor or nonminor dependent whose placement
26 in a community treatment facility has been reviewed and approved,
27 pursuant to Section 727.12, the social study shall include evidence
28 of each of the following:

29 (i) Ongoing assessment of the strengths and needs of the minor
30 or nonminor dependent continues to support the determination that
31 the needs of the minor or nonminor dependent cannot be met by
32 family members or in another family-based setting, placement in
33 a short-term residential therapeutic program or community
34 treatment facility, as applicable, continues to provide the most
35 effective and appropriate level of care in the least restrictive
36 environment, and the placement is consistent with the short- and
37 long-term mental and behavioral health goals and permanency
38 plan for the minor or nonminor dependent.

39 (ii) Documentation of the minor or nonminor dependent's
40 specific treatment or service needs that will be met in the

1 placement, and the length of time the minor or nonminor dependent
2 is expected to need the treatment or services. For a Medi-Cal
3 beneficiary, the determination of services and expected length of
4 time for those services funded by Medi-Cal shall be based upon
5 medical necessity and on all other state and federal Medi-Cal
6 requirements, and shall be reflected in the documentation.

7 (iii) Documentation of the intensive and ongoing efforts made
8 by the probation department, consistent with the minor or nonminor
9 dependent's permanency plan, to prepare the minor or nonminor
10 dependent to return home or to be placed with a fit and willing
11 relative, a legal guardian, an adoptive parent, in a resource family
12 home, tribally approved home, or in another appropriate
13 family-based setting, or, in the case of a nonminor dependent, in
14 a supervised independent living setting.

15 (2) The extent of the probation department's compliance with
16 the case plan in making reasonable efforts to safely return the
17 minor to the minor's home or to complete whatever steps are
18 necessary to finalize the permanent placement of the minor.

19 (3) The extent of progress that has been made by the minor and
20 parent or guardian toward alleviating or mitigating the causes
21 necessitating placement in foster care.

22 (4) If the first permanency planning hearing has not yet occurred,
23 the social study shall include the likely date by which the minor
24 may be returned to and safely maintained in the home or placed
25 for adoption, appointed a legal guardian, permanently placed with
26 a fit and willing relative, or referred to another planned permanent
27 living arrangement.

28 (5) Whether the minor has been or will be referred to educational
29 services and what services the minor is receiving, including special
30 education and related services if the minor has exceptional needs
31 as described in Part 30 (commencing with Section 56000) of
32 Division 4 of Title 2 of the Education Code or accommodations
33 if the child has disabilities as described in Chapter 16 (commencing
34 with Section 701) of Title 29 of the United States Code Annotated.
35 The probation officer or child advocate shall solicit comments
36 from the appropriate local education agency prior to completion
37 of the social study.

38 (6) If the parent or guardian is unwilling or unable to participate
39 in making an educational or developmental services decision for
40 their child, or if other circumstances exist that compromise the

1 ability of the parent or guardian to make educational or
2 developmental services decisions for the child, the probation
3 department shall consider whether the right of the parent or
4 guardian to make educational or developmental services decisions
5 for the minor should be limited. If the study makes that
6 recommendation, it shall identify whether there is a responsible
7 adult available to make educational or developmental services
8 decisions for the minor pursuant to Section 726.

9 (7) When the minor is 16 years of age or older and in another
10 planned permanent living arrangement, the social study shall
11 include a description of all of the following:

12 (A) The intensive and ongoing efforts to return the minor to the
13 home of the parent, place the minor for adoption, or establish a
14 legal guardianship, as appropriate.

15 (B) The steps taken to do both of the following:

16 (i) Ensure that the minor's care provider is following the
17 reasonable and prudent parent standard.

18 (ii) Determine whether the minor has regular, ongoing
19 opportunities to engage in age or developmentally appropriate
20 activities, including consulting with the minor about opportunities
21 for the minor to participate in the activities.

22 (8) When the minor is under 16 years of age and has a permanent
23 plan of return home, adoption, legal guardianship, or placement
24 with a fit and willing relative, the social study shall include a
25 description of any barriers to achieving the permanent plan and
26 the efforts made by the agency to address those barriers.

27 (9) (A) For a child who is 10 years of age or older and has been
28 declared a ward of the juvenile court pursuant to Section 601 or
29 602 for a year or longer, the information in subparagraph (B) of
30 paragraph (1) of subdivision (h) of Section 366.1.

31 (B) For a child who is 10 years of age or older, whether the
32 probation officer has informed the minor or nonminor dependent
33 of the information in paragraph (2) of subdivision (h) of Section
34 366.1.

35 (C) This paragraph does not affect any applicable confidentiality
36 law.

37 (10) For a child who is 16 years of age or older or for a
38 nonminor dependent, whether the probation officer has, pursuant
39 to the requirements of paragraph (22) of subdivision (g) of Section
40 16501.1, identified the person or persons who shall be responsible

1 for assisting the child or nonminor dependent with applications
2 for postsecondary education and related financial aid, or that the
3 child or nonminor dependent stated that they do not want to pursue
4 postsecondary education, including career or technical education.

5 (11) *A copy of each child and family team action plan, as*
6 *required by subparagraph (B) of paragraph (5) of subdivision (a)*
7 *of Section 16501, that is completed on or after January 1, 2026,*
8 *and was not previously provided to the court.*

9 (d) At each permanency planning hearing, the social study shall
10 include, but not be limited to, an updated case plan as described
11 in Section 706.6, the factual material described in subdivision (c)
12 of this section, and a recommended permanent plan for the minor.

13 *SEC. 7. Section 10544 of the Welfare and Institutions Code is*
14 *amended to read:*

15 10544. (a) If the department finds that a county is experiencing
16 significantly worsened outcomes, it shall report this finding to the
17 Chairs of the Senate Committee on Budget and Fiscal Review, the
18 Assembly Committee on Budget, the Senate Committee on Health
19 and Human Services, and the Assembly Committee on Human
20 Services.

21 (b) If the state does not achieve the outcomes required by federal
22 law and, as a result, is subject to a fiscal penalty, the penalty shall
23 be shared equally by the state and the counties after exhaustion of
24 all reasonable and available federal administrative remedies. If a
25 county's single allocation pursuant to Section 15204.2 is reduced
26 by the state to offset the county's share of any federal penalty
27 imposed pursuant to this section, the county shall be required to
28 utilize county general funds to replace the offset amount, so that
29 total funding remains equal to the county's single allocation. These
30 funds shall be in addition to the funds required to meet the
31 maintenance-of-effort requirement pursuant to Section 15204.4.
32 Only those counties that have failed to meet the federal
33 requirements shall be required to share in the fiscal penalty imposed
34 on the state. Those counties' share of the penalty imposed on the
35 state shall equal 50 percent of that penalty. Each county's share
36 of the penalty shall be based, in consultation with the County
37 Welfare Directors Association, on the county's degree of
38 performance that contributes to the failure to meet the federal
39 requirement.

(c) A county may be provided relief, in whole or in part, from a penalty imposed pursuant to subdivision (b) if the department determines that there were circumstances beyond the control of the county. A county may also be provided relief based on the degree of success or progress in meeting federal requirements, and, to the extent that there are differences between state and federal program requirements, the degree of success in meeting state participation requirements. Any adjustment made pursuant to this subdivision shall be reported to the Chair of the Joint Legislative Budget Committee. If a county is granted relief, that portion of the total penalty shall not be imposed on the other counties that failed to meet the federal requirements.

(d) A county that fails, without good cause, to submit accurate and timely data used to measure work participation, as required by the department, shall be deemed to have failed to meet applicable federal requirements. For purposes of this subdivision, good cause includes, but is not limited to, the lack of accurate, timely, and complete instructions from the department.

(e) The amendments made to subdivision (b) by the amendment of this section in 2006 by Chapter 75 of the Statutes of 2006, clarify existing law, as enacted by Assembly Bill 1542 (Ch. 270, Stats. 1997).

(f) (1) The department shall consult with the workgroup created pursuant to Section 11523, in the fall of 2022, to develop recommendations to address the existing emphasis on the federal work participation rate and penalty pass-on structure, as described in this section, while optimizing the implementation of the first cycle of the CalWORKs-~~Outcome~~ *Outcomes* and Accountability Review (Cal-OAR) process. The department shall submit a report of recommendations to the Legislature on or before April 15, 2023.

(2) A report to be submitted pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

(g) *This section does not apply to any federal fiscal penalties imposed as a result of not meeting federal work participation rate requirements on or after October 1, 2025.*

SEC. 8. Section 11320.1 of the Welfare and Institutions Code is amended to read:

11320.1. (a) Subsequent to the commencement of the receipt of aid under this chapter, the sequence of employment-related

activities required of recipients under this article, unless exempted under Section 11320.3, shall be as follows:

(a)

(1) Orientation and appraisal. Recipients shall, and applicants may, at the option of a county and with the consent of the applicant, receive orientation to the welfare-to-work program provided under this article and receive appraisal pursuant to Section 11325.2.

~~(b) (1)~~

(2) (A) After orientation and appraisal, ~~recipients shall participate in job search and job club pursuant to Section 11325.22, if determined appropriate based on the appraisal, the county shall offer the recipient the opportunity to participate in family stabilization pursuant to Section 11325.24, or and, if available, substance abuse, mental health, or domestic violence services, unless the county determines that the recipient should first go to assessment pursuant to subdivision (c). services. If not determined to be appropriate based on the appraisal, or if the county determines that proceeding to assessment pursuant to paragraph (3) would not interfere with those services, the recipient shall participate in the assessment.~~

(2)

(B) A recipient who has not received his or her their high school diploma or its equivalent shall be offered a welfare-to-work plan pursuant to Section 11325.21 to participate in a high school education program or high school equivalency program, as described in Section 11325.3. If the recipient declines to participate in the educational activities described in this ~~paragraph, subparagraph, and to instead participate in job club or job search activities as described in Section 11325.22, or other activities, if eligible, such as mental health or substance abuse services, as described in paragraph (1), assessment, as provided for in Section 11325.4, the recipient shall make that election, in writing, on the welfare-to-work plan. election in writing. Following assessment, the county and the recipient shall develop a welfare-to-work plan, as specified in Section 11325.21. The plan shall specify the activities provided for in Section 11322.6 to which the recipient shall be assigned, and the supportive services, as provided for pursuant to Section 11323.2, with which the recipient will be provided.~~

(c)

1 (3) Assessment. ~~If employment is not found during the period~~
2 ~~provided for pursuant to subdivision (b), or at any time the county~~
3 ~~determines that participation in job search for the period specified~~
4 ~~in subdivision (a) of Section 11325.22 is not likely to lead to~~
5 ~~employment or that, based on information gathered during the~~
6 ~~appraisal, further information is needed to make an effective~~
7 ~~determination regarding the recipient's next welfare-to-work~~
8 ~~activity. After orientation and appraisal, if not exempt pursuant~~
9 ~~to Section 11320.3, the recipient shall be referred to assessment,~~
10 ~~as provided for in Section 11325.4. Following assessment, the~~
11 ~~county and the recipient shall develop a welfare-to-work plan, as~~
12 ~~specified in Section 11325.21. The plan shall specify the activities~~
13 ~~provided for in Section 11322.6 to which the recipient shall be~~
14 ~~assigned, and the supportive services, as provided for pursuant to~~
15 ~~Section 11323.2, with which the recipient will be provided.~~

16 ~~(d)~~

17 (4) Work activities. A recipient who has signed a
18 welfare-to-work plan pursuant to Section 11325.21 shall participate
19 in work activities, as described in this article.

20 *(b) Notwithstanding the rulemaking provisions of the*
21 *Administrative Procedure Act (Chapter 3.5 (commencing with*
22 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*
23 *Code), the department may implement, interpret, or make specific*
24 *the changes made to this section by the act that added this*
25 *subdivision by means of all-county letters or similar written*
26 *instructions from the department until regulations are adopted.*
27 *These all-county letters or similar instructions shall have the same*
28 *force and effect as regulations until the adoption of regulations.*

29 *(c) This section shall become inoperative on July 1, 2026, or,*
30 *if automation is necessary, the later of July 1, 2026, or when the*
31 *department notifies the Legislature that the Statewide Automated*
32 *Welfare System can perform the necessary automation to implement*
33 *this section, as added by the act that added this subdivision, and,*
34 *as of January 1 of the following year, is repealed.*

35 SEC. 9. Section 11320.1 is added to the Welfare and Institutions
36 Code, to read:

37 11320.1. (a) Subsequent to the commencement of the receipt
38 of aid under this chapter, the sequence of activities of counties
39 and recipients under this article, unless exempted under Section
40 11320.3, shall be as follows:

1 (1) (A) Orientation and appraisal. The county shall provide
2 recipients with a combined appraisal and an orientation to the
3 welfare-to-work program provided under this article, unless the
4 recipient has attended an appraisal in the past 12 months.

5 (B) The county shall provide the recipient with a blank simplified
6 appraisal form, as set forth in Section 11325.15, and an online
7 link to the form that the individual can return in person, by mail,
8 or electronically. The appraisal shall gather and provide
9 information about the applicant in all of the following areas:

10 (i) Housing status and stability.

11 (ii) Language barriers.

12 (iii) Physical and behavioral health, including mental health
13 and substance abuse issues.

14 (iv) Child physical and behavioral health and well-being.

15 (v) Criminal background that may present a barrier to
16 employment or housing stability.

17 (vi) The individual's assessment of their skills, prior work
18 experience, and employability. The individual may indicate they
19 would like assistance with this assessment.

20 (vii) Need for supportive services, as described in Section
21 11323.2.

22 (viii) Any other barrier the individual chooses to identify.

23 (C) Orientation shall include all of the following:

24 (i) A review of the full range of the welfare-to-work activities
25 described in Section 11322.6 and supportive services described
26 in Section 11323.2.

27 (ii) Information on the bases for exemption described in Section
28 11320.3, how to request an exemption, and the opportunity to
29 participate and receive supportive services as an exempt volunteer.

30 (iii) An offer to be screened and evaluated for a learning
31 disability.

32 (iv) Information regarding the ability to request barrier removal
33 services and referrals at any time.

34 (v) Provision of a welfare-to-work plan, as described in Section
35 11325.21, and information on alternative ways to submit the plan,
36 including electronically. The recipient may attend orientation in
37 person, by telephone, or by any alternative mode the county has
38 available that the recipient chooses.

39 (vi) The county shall ask if the recipient has a physical, mental,
40 or emotional circumstance that would interfere with their

1 participation in welfare-to-work activities. If the recipient discloses
2 a barrier, the county shall review the recipient's case for and
3 provide exemptions pursuant to Section 11320.3 and offer services
4 to assist with barrier removal.

5 (D) Pursuant to Section 11325.15, the department shall develop
6 a standardized statewide orientation and appraisal, in consultation
7 with stakeholders. Counties may add county-specific information
8 to the standardized orientation.

9 (2) Initial engagement activities may include other activities, if
10 eligible, such as family stabilization pursuant to Section 11325.24,
11 or substance abuse, mental health, or domestic violence services,
12 as described in paragraph (1). The recipient shall make that
13 election verbally or in writing on the welfare-to-work plan.

14 (3) Create welfare-to-work plan. After completing orientation
15 and appraisal, the participant may complete and return the
16 welfare-to-work plan to the county.

17 (4) (A) Assessment and welfare-to-work plan development.

18 (B) If a recipient has not either completed a simplified appraisal
19 or a welfare-to-work plan within 45 days of being approved for
20 aid, or if a recipient has requested county assistance, as described
21 in paragraph (11) of subdivision (a) of Section 11325.2, the county
22 shall set an appointment, which may include an assessment to
23 collaboratively develop the plan, as described in Section 11325.4.
24 The notice to the recipient of the appointment shall include a blank
25 welfare-to-work plan, as described in Section 11325.21, and
26 information on alternative ways to submit the plan. The assessment
27 shall be conducted in person, by telephone, or by any alternative
28 mode the county has available that the recipient chooses.

29 (C) The plan development appointment may be in person, by
30 telephone, or by any alternative mode the county has available
31 that the recipient chooses. The recipient may complete and return
32 a welfare-to-work plan in lieu of attending the appointment. The
33 plan, as set forth in Section 11325.21, shall be developed within
34 90 days of approval of aid.

35 (5) Work activities. At the completion of the welfare-to-work
36 plan development, the recipient shall sign the plan in person, or
37 by any alternative mode of providing a signature, as available in
38 the county, including, but not limited to, electronic, telephonic,
39 and oral attestation. A recipient who has signed a welfare-to-work

1 plan described in Section 11325.21 shall participate in work
2 activities, as described in this article.

3 (6) The county shall regularly review the welfare-to-work plan
4 with the participant to ensure that the plan accurately reflects the
5 current services and participation activities the county feels are
6 best suited to support their well-being. During times that the county
7 has personal contacts with the participant, or during other
8 outreach efforts made by the county, the county shall offer to review
9 the welfare-to-work activities. If those contacts or other outreach
10 efforts have not occurred, and no other plan adjustments have
11 been made to the plan within the past six months, the county shall
12 send the participant a written notice along with their current plan
13 and information on how to contact the county to make any plan
14 adjustments.

15 (b) Notwithstanding the rulemaking provisions of the
16 Administrative Procedure Act (Chapter 3.5 (commencing with
17 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
18 Code), the department may implement, interpret, or make specific
19 this section by means of all-county letters or similar written
20 instructions from the department until regulations are adopted.
21 These all-county letters or similar instructions shall have the same
22 force and effect as regulations until the adoption of regulations.

23 (c) This section shall become operative on July 1, 2026, or, if
24 automation is necessary, the later of July 1, 2026, or when the
25 department notifies the Legislature that the Statewide Automated
26 Welfare System can perform the necessary automation to implement
27 this section.

28 SEC. 10. Section 11322.6 of the Welfare and Institutions Code
29 is amended to read:

30 11322.6. The welfare-to-work plan developed by the county
31 welfare department and the participant pursuant to this article shall
32 provide for welfare-to-work activities. Welfare-to-work activities
33 may include, but are not limited to, any of the following:

- 34 (a) Unsubsidized employment.
- 35 (b) Subsidized private sector employment.
- 36 (c) Subsidized public sector employment.
- 37 (d) Work experience, which means public or private sector work
38 that shall help provide basic job skills, enhance existing job skills
39 in a position related to the participant's experience, or provide a
40 needed community service that will lead to employment. Unpaid

1 work experience shall be limited to 12 months, unless the county
2 welfare department and the recipient agree to extend this period
3 by an amendment to the welfare-to-work plan. The county welfare
4 department shall review the work experience assignment as
5 appropriate and make revisions as necessary to ensure that it
6 continues to be consistent with the participant's plan and effective
7 in preparing the participant to attain employment.

8 (e) On-the-job training.

9 (f) (1) Grant-based on-the-job training, which means public or
10 private sector employment or on-the-job training in which the
11 recipient's cash grant, or a portion thereof, or the aid grant savings
12 resulting from employment, or both, is diverted to the employer
13 as a wage subsidy to partially or wholly offset the payment of
14 wages to the participant, so long as the total amount diverted does
15 not exceed the family's maximum aid payment.

16 (2) A county shall not assign a participant to grant-based
17 on-the-job training unless and until the participant has voluntarily
18 agreed to participate in grant-based on-the-job training by executing
19 a voluntary agreement form, which shall be developed by the
20 department. The agreement shall include, but not be limited to,
21 information on the following:

22 (A) How job termination or another event will not result in loss
23 of the recipient's grant funds, pursuant to department regulations.

24 (B) (i) How to obtain the federal Earned Income Tax Credit
25 (EITC), including the Advance EITC, and increased CalFresh
26 benefits, which may become available due to increased earned
27 income.

28 (ii) This subparagraph shall only become operative when and
29 to the extent that the department determines that it reflects current
30 federal law and Internal Revenue Service regulations.

31 (C) How these financial supports should increase the
32 participant's current income and how increasing earned income
33 should increase the recipient's future social security income.

34 (3) Grant-based on-the-job training shall include community
35 service positions pursuant to Section 11322.9.

36 (4) Any portion of a wage from employment that is funded by
37 the diversion of a recipient's cash grant, or the grant savings from
38 employment pursuant to this subdivision, or both, shall not be
39 exempt under Section 11451.5 from the calculation of the income
40 of the family for purposes of subdivision (a) of Section 11450.

1 (g) Supported work or transitional employment, which means
2 forms of grant-based on-the-job training in which the recipient's
3 cash grant, or a portion thereof, or the aid grant savings from
4 employment, is diverted to an intermediary service provider, to
5 partially or wholly offset the payment of wages to the participant.

6 (h) ~~Workstudy.~~ *Work study.*

7 (i) Self-employment.

8 (j) Community service.

9 (k) Adult basic education, which shall include reading, writing,
10 arithmetic, high school proficiency, or general educational
11 development certificate of instruction, and English as a second
12 language. Participants under this subdivision shall be referred to
13 appropriate service providers that include, but are not limited to,
14 educational programs operated by school districts or county offices
15 of education that have contracted with the Superintendent of Public
16 Instruction to provide services to participants pursuant to Section
17 33117.5 of the Education Code.

18 (l) Job skills training directly related to employment.

19 (m) Vocational education and training, including, but not limited
20 to, college and community college education, adult education,
21 regional occupational centers, and regional occupational programs.

22 (n) Job search and job readiness assistance, which means
23 providing the recipient with training to learn job seeking and
24 interviewing skills, to understand employer expectations, and learn
25 skills designed to enhance an individual's capacity to move toward
26 self-sufficiency, including financial management education.

27 (o) Education directly related to employment.

28 (p) Satisfactory progress in secondary school or in a course of
29 study leading to a certificate of general educational development,
30 in the case of a recipient who has not completed secondary school
31 or received such a certificate.

32 (q) Mental health, substance abuse, and domestic violence
33 services, described in Sections 11325.7 and 11325.8, and Article
34 7.5 (commencing with Section 11495), that are necessary to obtain
35 and retain employment.

36 (r) Other activities necessary to assist an individual in obtaining
37 unsubsidized employment.

38 Assignment to an educational activity identified in subdivisions
39 (k), (m), (o), and (p) is limited to those situations in which the
40 education is needed to become employed.

(s) This section shall become inoperative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, as added by the act that added this subdivision, and, as of January 1 of the following year, is repealed.

SEC. 11. Section 11322.6 is added to the Welfare and Institutions Code, to read:

11322.6. (a) The welfare-to-work plan developed pursuant to this article shall provide for welfare-to-work activities. Welfare-to-work activities may include, but are not limited to, any of the following:

(1) Educational activities, which may include, but are not limited to, all of the following:

(A) Postsecondary education leading to a degree or certificate, which may be attended in person or online.

(B) Obtaining a high school diploma.

(C) Technical training and vocational education and training, including, but not limited to, college and community college education, adult education, regional occupational centers, and regional occupational programs.

(D) Career-specific education.

(E) Job skills training.

(F) Adult basic education, which shall include reading, writing, arithmetic, high school proficiency, or a general educational development certificate of instruction, and English as a second language. Participants under this subparagraph shall be referred to appropriate service providers that include, but are not limited to, educational programs operated by school districts or county offices of education that have contracted with the Superintendent of Public Instruction to provide services to participants pursuant to Section 33117.5 of the Education Code.

(2) Work activities, which may include, but are not limited to, those set forth in Section 261.30 of Title 45 of the Code of Federal Regulations, and any of the following:

(A) Unsubsidized employment.

(B) Subsidized private or public sector employment.

(C) Work experience, which means public or private sector work that shall help provide basic job skills, enhance existing job skills in a position related to the participant's experience, or

1 provide a needed community service that will lead to employment.
2 Unpaid work experience shall be limited to 12 months, unless the
3 county welfare department and the recipient agree to extend this
4 period by an amendment to the welfare-to-work plan. The county
5 welfare department shall review the work experience assignment
6 as appropriate and make revisions as necessary to ensure that it
7 continues to be consistent with the participant's plan and effective
8 in preparing the participant to attain employment.

9 (D) On-the-job training.

10 (E) (i) Grant-based on-the-job training, which means public
11 or private sector employment or on-the-job training in which the
12 recipient's cash grant, or a portion thereof, or the aid grant savings
13 resulting from employment, or both, is diverted to the employer
14 as a wage subsidy to partially or wholly offset the payment of
15 wages to the participant, so long as the total amount diverted does
16 not exceed the family's maximum aid payment.

17 (ii) A county shall not assign a participant to grant-based
18 on-the-job training unless and until the participant has voluntarily
19 agreed to participate in grant-based on-the-job training by
20 executing a voluntary agreement form, which shall be developed
21 by the department. The agreement shall include, but not be limited
22 to, information on the following:

23 (I) How job termination or another event will not result in loss
24 of the recipient's grant funds, pursuant to department regulations.

25 (II) (ia) How to obtain the federal Earned Income Tax Credit
26 (EITC), including the Advance EITC, and increased CalFresh
27 benefits, which may become available due to increased earned
28 income.

29 (ib) This subparagraph shall only become operative when and
30 to the extent that the department determines that it reflects current
31 federal law and Internal Revenue Service regulations.

32 (III) How these financial supports should increase the
33 participant's current income and how increasing earned income
34 should increase the recipient's future social security income.

35 (iii) Grant-based on-the-job training shall include community
36 service positions pursuant to Section 11322.9.

37 (iv) Any portion of a wage from employment that is funded by
38 the diversion of a recipient's cash grant, or the grant savings from
39 employment pursuant to this subdivision, or both, shall not be

1 exempt under Section 11451.5 from the calculation of the income
2 of the family for purposes of subdivision (a) of Section 11450.

3 (F) Supported work or transitional employment, which means
4 forms of grant-based on-the-job training in which the recipient's
5 cash grant, or a portion thereof, or the aid grant savings from
6 employment, is diverted to an intermediary service provider, to
7 partially or wholly offset the payment of wages to the participant.

8 (3) Barrier removal services, when available, which may
9 include, but not be limited to, all of the following:

10 (A) Mental health services, as described in Section 11325.7;
11 substance abuse treatment services, as described in Section
12 11325.8; CalWORKs Home Visiting Program services, as
13 described in Article 3.4 (commencing with Section 11330.6); and
14 domestic violence services, as described in Article 7.5 (commencing
15 with Section 11495).

16 (B) Financial literacy classes and coaching.

17 (C) Activities that develop and enhance workplace skills,
18 including, but not limited to, career-specific training programs,
19 English language learning, literacy and mathematics skill courses,
20 or credential programs.

21 (D) Working with children's health and school professionals,
22 parenting classes, education-related appointments for the
23 participant or their dependents, child welfare or child
24 welfare-related activities, and any other activities to help ensure
25 child well-being and family unity.

26 (E) Activities that build foundations for employment, including,
27 but not limited to, housing search efforts.

28 (F) Activities related to legal issues or housing stability,
29 including, but not limited to, court appearances, housing searches
30 and tenant rights and obligation classes, homeless support
31 programs, and shelter participation requirements.

32 (b) The department shall have the discretion to identify
33 additional plan activities that improve employment opportunities
34 and family well-being.

35 (c) Notwithstanding the rulemaking provisions of the
36 Administrative Procedure Act (Chapter 3.5 (commencing with
37 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
38 Code), the department may implement, interpret, or make specific
39 this section by means of all-county letters or similar written
40 instructions from the department until regulations are adopted.

1 *These all-county letters or similar instructions shall have the same*
2 *force and effect as regulations until the adoption of regulations.*

3 *(d) This section shall become operative on July 1, 2026, or, if*
4 *automation is necessary, the later of July 1, 2026, or when the*
5 *department notifies the Legislature that the Statewide Automated*
6 *Welfare System can perform the necessary automation to implement*
7 *this section.*

8 *SEC. 12. Section 11323.2 of the Welfare and Institutions Code*
9 *is amended to read:*

10 11323.2. (a) Necessary supportive services shall be offered
11 and available to every participant to enable them to participate in
12 a program activity or to accept or maintain employment. Necessary
13 supportive services shall also be offered and available to every
14 individual who is not required to participate, but chooses to
15 participate voluntarily, to allow them to participate in a program
16 activity or to accept or maintain employment. A participant who
17 is required to participate and who does not receive necessary
18 supportive services shall have good cause for not participating
19 under subdivision (f) of Section 11320.3. Supportive services shall
20 be listed in the welfare-to-work plan or other agreement entered
21 into between the county and participant pursuant to this article,
22 supportive services shall include all of the following:

23 (1) Childcare.

24 (A) Paid childcare shall be available to every participant with
25 a dependent child in the household who needs paid childcare if
26 the child is 12 years of age or under, or requires childcare or
27 supervision due to a physical, mental, or developmental disability
28 or other similar condition as verified by the county human services
29 agency, or who is under court supervision. A county human
30 services agency may verify the need for childcare or supervision
31 for a child over 12 years of age from an individualized education
32 plan or a statement from a qualified professional that the child is
33 a child with exceptional needs, as defined in Section 10213.5. A
34 sanctioned participant shall have access to childcare pursuant to
35 this section if the participant has indicated an intent to engage in
36 a program activity or employment, but has not yet participated.

37 (B) First-stage childcare, as described in Chapter 21
38 (commencing with Section 10370) of Part 1.8, shall be full time,
39 unless the participant determines that part-time care better meets
40 the family's needs. Upon establishing initial or ongoing eligibility

1 for first-stage childcare services under this chapter, a family shall
2 be considered to meet all eligibility and need requirements and be
3 authorized for not less than 24 months, or until the participant is
4 transferred to the second stage of childcare. This shall apply to
5 every participant who indicates a need for childcare in order to
6 engage in a program activity or employment. A participant may,
7 at any time, indicate a new or increased need for childcare and the
8 information shall be used, as applicable, to authorize childcare in
9 accordance with this subparagraph or increase the family's services.

10 (C) Necessary childcare services shall be available to every
11 former recipient for up to two years, pursuant to Chapter 21
12 (commencing with Section 10370) of Part 1.8. Beginning January
13 1, 2021, or the date that automation changes occur, as required for
14 implementation, in the Statewide Automated Welfare System,
15 whichever date is later, in the 18th month following the date of
16 last receipt of aid, the county shall send a notice, via mail to the
17 last known address, text message, or email, to a former recipient
18 who is not currently receiving second- or third-stage childcare
19 informing them that their eligibility for stage-two childcare will
20 expire by the end of the 24th month following their last receipt of
21 aid, and how to obtain stage-two childcare services. The department
22 shall issue an all-county letter or similar directive by November
23 1, 2019, to implement this subparagraph, until regulations are
24 adopted.

25 (D) A child in foster care receiving benefits under Title IV-E
26 of the federal Social Security Act (42 U.S.C. Sec. 670 et seq.), or
27 a child who would become a dependent child except for the receipt
28 of federal Supplemental Security Income benefits pursuant to Title
29 XVI of the federal Social Security Act (42 U.S.C. Sec. 1381 et
30 seq.), or a child who is not a member of the assistance unit but for
31 whom the recipient is responsible for providing support, shall be
32 deemed to be a dependent child for the purposes of this paragraph.

33 (E) The provision of care and payment rates under this paragraph
34 shall be governed by Chapter 21 (commencing with Section 10370)
35 of Part 1.8. Parent fees shall be governed by Sections 10271 and
36 10291.

37 (F) For purposes of subparagraphs (A) and (B), a participant
38 includes an individual who is not required to participate, and
39 expresses an intent to participate voluntarily, or a sanctioned
40 participant who indicates an intent to engage in any program

1 activity, as defined in subdivision (c), or employment. After
2 securing childcare services, to document their commitment to
3 participate, a participant shall sign a welfare-to-work plan or a
4 curing plan, whichever is appropriate, or other agreement that may
5 be developed and approved for use on a statewide basis by the
6 department.

7 (2) Diaper costs.

8 (A) On and after April 1, 2018, a participant who is participating
9 in a welfare-to-work plan shall be eligible for thirty dollars (\$30)
10 per month to assist with diaper costs for each child who is under
11 36 months of age.

12 (B) The department shall adopt regulations by January 1, 2020,
13 to implement this paragraph. Notwithstanding the rulemaking
14 provisions of the Administrative Procedure Act (Chapter 3.5
15 (commencing with Section 11340) of Part 1 of Division 3 of Title
16 2 of the Government Code), the department shall implement this
17 paragraph through all-county letters until regulations are adopted.

18 ~~(3) Transportation costs, which shall be governed by regional~~
19 ~~market rates as determined in accordance with regulations~~
20 ~~established by the department.~~ costs.

21 (A) *Transportation services may include, but not be limited to,*
22 *bus passes, mileage reimbursement, van pools, car repairs, car*
23 *ownership programs, rideshare, parking, and tolls. Counties shall*
24 *inform participants of the various transportation services available*
25 *in the county and have the participant identify which transportation*
26 *services they need in order to participate in welfare-to-work*
27 *activities.*

28 (B) *When the county approves transportation costs for use of a*
29 *private vehicle, the participant shall receive an advance payment*
30 *for mileage, which shall be based on a mileage rate used in the*
31 *county and in the county plan or a regional market rate that is*
32 *updated annually. In addition, counties may opt to provide separate*
33 *payments for specific necessary costs related to use of a private*
34 *vehicle, including, but not limited to, gas, oil, insurance, license*
35 *and registration fees, normal wear and tear, and maintenance,*
36 *parking, tolls, car repairs, and other costs directly related to*
37 *transportation and the activity.*

38 (C) *Transportation costs include payment for transporting a*
39 *participant's children when necessary for the participant to*
40 *participate in their welfare-to-work assignment or activity.*

1 (D) All payments for transportation shall be advanced to
2 participants. At the time the welfare-to-work plan is developed
3 and the participant's activities are assigned, the county shall also
4 determine what transportation services the participant needs, and
5 shall issue the transportation payment based on the activities
6 contained in the plan, prior to requiring the participant to
7 participate in the activity.

8 (4) Ancillary expenses, which shall include the cost of books,
9 tools, clothing specifically required for the job, fees, and other
10 necessary costs.

11 (5) Personal counseling. A participant who has personal or
12 family problems that would affect the outcome of the
13 welfare-to-work plan entered into pursuant to this article shall, to
14 the extent available, receive necessary counseling and related
15 supportive services, to help the participant and the participant's
16 family adjust to the participant's job or training assignment.

17 (b) If provided in a county plan, the county may continue to
18 provide case management and supportive services under this
19 section to former participants who become employed. The county
20 may provide these services for up to the first 12 months of
21 employment to the extent they are not available from other sources
22 and are needed for the individual to retain the employment.

23 (c) For the purposes of paragraph (1) of subdivision (a),
24 "program activity" includes, but is not limited to, any
25 welfare-to-work activity, orientation, appraisal, assessment, job
26 search, job club, domestic violence services, court appearances,
27 housing searches and classes, homeless support programs, shelter
28 participation requirements, eviction proceedings, mental health
29 services, including therapy or personal counseling, home visiting,
30 drug and substance abuse services, parenting classes, and medical
31 or education-related appointments for the participant or their
32 dependents.

33 (d) Notwithstanding the rulemaking provisions of the
34 Administrative Procedure Act (Chapter 3.5 (commencing with
35 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
36 Code), the department may implement, interpret, or make specific
37 the changes made to this section by the act that added this
38 subdivision by means of all-county letters or similar written
39 instructions from the department until regulations are adopted.

1 *These all-county letters or similar instructions shall have the same*
2 *force and effect as regulations until the adoption of regulations.*

3 *(e) The changes made to this section by the act that added this*
4 *subdivision shall become operative on July 1, 2026, or, if*
5 *automation is necessary, the later of July 1, 2026, or when the*
6 *department notifies the Legislature that the California Statewide*
7 *Automated Welfare System can perform the necessary automation*
8 *to implement Section 11320.1.*

9 *SEC. 13. Section 11325.15 of the Welfare and Institutions Code*
10 *is amended to read:*

11 11325.15. (a) (1) The Legislature hereby finds and declares
12 that the Online CalWORKs Appraisal Tool (OCAT) is an essential
13 part of CalWORKs welfare-to-work case management and should
14 function as a shared service in the Statewide Automated Welfare
15 System (SAWS), which is the system of record for the CalWORKs
16 program, as expeditiously as possible.

17 (2) The State Department of Social Services shall expedite any
18 necessary steps to obtain any necessary licenses to allow the OCAT
19 to function as a shared service in the SAWS environment.

20 (b) OCAT shall become a shared service in the SAWS
21 environment, consistent with the state's shared services strategy.
22 The functionality of OCAT in the SAWS environment shall
23 include, but not be limited to, the exchange of data to prevent the
24 need for duplicate data entry, to alert users to potential data
25 conflicts, and to transmit OCAT recommendations to SAWS,
26 where the recommendations may be used to streamline the case
27 management of welfare-to-work activities and to produce reports.

28 (c) The implementation of this section shall not reduce access
29 by the department nor counties to OCAT data and
30 recommendations, as that access existed as of June 30, 2017.

31 (d) (1) Notwithstanding any other law, contracts necessary to
32 obtain licenses for OCAT *and the alternate appraisal tool*
33 *developed by the department pursuant to subdivision (e)* shall be
34 exempt from the personal services contracting requirements of
35 Article 4 (commencing with Section 19130) of Chapter 5 of Part
36 2 of Division 5 of Title 2 of the Government Code.

37 (2) Notwithstanding any other law, contracts necessary to obtain
38 licenses for OCAT *and the alternate appraisal tool developed by*
39 *the department pursuant to subdivision (e)* shall be exempt from
40 the Public Contract Code and the State Contracting Manual, and

1 shall not be subject to the approval of the Department of General
2 Services.

3 (e) Consistent with Section 11325.2, the department shall
4 develop an updated streamlined appraisal tool to replace OCAT.
5 This tool shall be designed to improve efficiency while maintaining
6 the ability to assess participant strengths and barriers. The
7 department shall convene a stakeholder workgroup, which may
8 be convened concurrently with an existing department stakeholder
9 meeting, to inform the development and use of this tool. The
10 stakeholder workgroup shall include, but not be limited to,
11 representatives of organizations representing the County Welfare
12 Directors Association of California, CalWORKs recipients, social
13 workers, advocacy groups, and any relevant state, county, or city
14 government agencies. The department shall ensure that, in
15 replacing OCAT, the lines of inquiry necessary to support
16 participants are retained in the appraisal tool, including, but not
17 limited to, domestic violence, learning disabilities, and pregnant
18 or parenting teenagers.

19 (f) Notwithstanding the rulemaking provisions of the
20 Administrative Procedure Act (Chapter 3.5 (commencing with
21 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
22 Code), the department may implement, interpret, or make specific
23 the changes made to this section by the act that added this
24 subdivision by means of all-county letters or similar written
25 instructions from the department until regulations are adopted.
26 These all-county letters or similar instructions shall have the same
27 force and effect as regulations until the adoption of regulations.

28 (g) The changes made to this section by the act that added this
29 subdivision shall become operative on July 1, 2026, or, if
30 automation is necessary, the later of July 1, 2026, or on the date
31 the department notifies the Legislature that the Statewide
32 Automated Welfare System can perform the necessary automation
33 to implement the changes made to this section by the act that added
34 this subdivision.

35 SEC. 14. Section 11325.2 of the Welfare and Institutions Code
36 is amended to read:

37 11325.2. (a) At the time a recipient enters the welfare-to-work
38 program, the county shall conduct an appraisal, pursuant to
39 regulations adopted by the department, during which the recipient
40 is informed of the requirement to participate in allowable

welfare-to-work activities and of the provision of supportive services, pursuant to Section 11323.2. The appraisal shall gather and provide information about the recipient in the following areas:

- (1) Employment history, interests, and skills.
- (2) Educational history and learning disabilities.
- (3) Housing status and stability.
- (4) Language barriers.
- (5) Physical and behavioral health, including, but not limited to, mental health and substance abuse issues.
- (6) Child *physical and behavioral* health and well-being.
- (7) Criminal background that may present a barrier to employment or housing stability.
- (8) Domestic violence.
- (9) Need for supportive services as described in Section 11323.2.
- (10) Other information that may affect an individual's ability to participate in work activities.

(11) *The recipient's determination of their skills, prior work experience, and employability. The recipient may indicate that they would like assistance with this determination. The recipient may request assistance with completing any portion of the appraisal.*

(b) (1) The county shall utilize a standardized appraisal tool in order to assess strengths for and barriers to work activities. This tool shall be developed or selected by the department, in consultation with stakeholders, and shall be customized as needed for statewide use.

(2) (A) *Upon completion of the development of the updated streamlined appraisal tool developed pursuant to Section 11325.15, the county shall utilize the updated streamlined appraisal tool.*

(B) *This paragraph shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or on the date the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this paragraph.*

(2) Concurrent with the development of the standardized appraisal tool, mandatory training shall be developed for administration of the tool and shall, in addition, include skill-building components, including, at a minimum, rapport building and interviewing techniques.

1 (c) (1) If the results of the appraisal indicate that the individual
2 may face barriers that impair ~~his or her~~ *their* ability to participate
3 in work activities, the county shall refer the recipient for an
4 evaluation and services as described in Section 11325.25, 11325.5,
5 or 11325.8, or may refer the recipient to family stabilization
6 pursuant to Section 11325.24.

7 (2) If information obtained from the appraisal indicates that the
8 individual qualifies for an exemption from welfare-to-work
9 requirements, the county shall apply the exemption, pursuant to
10 subdivision (b) of Section 11320.3.

11 (d) This section shall not apply to individuals subject to Article
12 3.5 (commencing with Section 11331) during the time that article
13 is operative.

14 ~~(e) This section shall become operative on January 1, 2014.~~

15 *SEC. 15. Section 11325.22 of the Welfare and Institutions Code*
16 *is amended to read:*

17 11325.22. (a) (1) Following the appraisal required by Section
18 11325.2, all participants except those described in paragraph (4)
19 of this subdivision or those who are participating in other activities
20 or assessment pursuant to Section 11320.1, shall be assigned to
21 participate for a period of up to four consecutive weeks in job
22 search activities. These activities may include the use of job clubs
23 to identify the participant's qualifications. The county shall
24 consider the skills and interests of the participants in developing
25 a job search strategy. The period of job search activities may be
26 shortened if the participant and the county agree that further
27 activities would not be beneficial. Job search activities may be
28 shortened for a recipient if the county determines that the recipient
29 will not benefit because ~~he or she~~ *they* may suffer from an
30 emotional or mental disability that will limit or preclude the
31 recipient's participation under this article.

32 (2) Nothing in this section shall require participation in job
33 search activities, the schedule for which interferes with
34 unsubsidized employment or participation pursuant to Section
35 11325.23.

36 (3) Job search activities may be required in excess of the limits
37 specified in paragraph (1) on the basis of a review by the county
38 of the recipient's performance during job search to determine
39 whether extending the job search period would result in
40 unsubsidized employment.

1 (4) A person subject to Article 3.5 (commencing with Section
2 11331) or subdivision (d) of Section 11320.3 shall not be required,
3 but may be permitted, to participate in job search activities as ~~his~~
4 ~~or her~~ *their* first program assignment following appraisal upon
5 earning a high school diploma or its equivalent, if ~~she or he~~ *they* ~~has~~
6 *have* not already taken the option to complete these activities
7 as the first program assignment following appraisal.

8 (b) (1) Upon the completion of job search activities, or a
9 determination that those activities are not required, the participant
10 shall be assigned to one or more of the activities described in
11 Section 11322.6 as needed to attain employment.

12 (2) (A) The assignment to one or more of the program activities
13 as required in paragraph (1) of this subdivision shall be based on
14 the welfare-to-work plan developed pursuant to an assessment as
15 described in Section 11325.4. The plan shall be based, at a
16 minimum, on consideration of the individual's existing education
17 level, employment experience and relevant employment skills,
18 available program resources, and local labor market opportunities.

19 (B) An assessment pursuant to Section 11325.4 shall be
20 performed upon completion of job search activities or at such time
21 as it is determined that job search will not be beneficial.

22 (C) Notwithstanding subparagraphs (A) and (B), an assessment
23 shall not be required to develop a welfare-to-work plan for a person
24 who is participating in an approved self-initiated program pursuant
25 to Section 11325.23 unless the county determines that an
26 assessment is necessary to meet the hours specified in Section
27 11325.23.

28 (3) A participant who lacks basic literacy or mathematics skills,
29 a high school diploma or general educational development
30 certificate, or English language skills, shall be assigned to
31 participate in adult basic education as described in subdivision (k)
32 of Section 11322.6, as appropriate and necessary for removal of
33 the individual's barriers to employment.

34 (4) Participation in activities assigned pursuant to this section
35 may be sequential or concurrent. The county may require
36 concurrent participation in the assigned activities if it is appropriate
37 to the participant's abilities, consistent with the participant's
38 welfare-to-work plan, and the activities can be concurrently
39 scheduled.

(5) The participant has 30 days from the beginning of the initial training or education assignment in which to request a change or reassignment to another component. The county shall grant the participant's request for reassignment if another assignment is available that is consistent with the participant's welfare-to-work plan and the county determines the other assignment will readily lead to employment. This grace period shall be available only once to each participant.

(c) Any assignment or change in assignment to a program activity pursuant to this section shall be included in the welfare-to-work plan, or an amendment to the plan, as required in Section 11325.21.

(d) A participant who has not obtained unsubsidized employment upon completion of the activities in a welfare-to-work plan developed pursuant to the job search activities required by subdivision (a) and an assessment required by subdivision (b) shall be referred to reappraisal as described in Section 11326.

(e) The criteria for successful completion of an assigned education or training activity shall include regular attendance, satisfactory progress, and completion of the assignment. A person who fails or refuses to comply with program requirements for participation in the activities assigned pursuant to this section shall be subject to Sections 11327.4 and 11327.5.

(f) Except as provided in paragraph (4) of subdivision (a), this section shall not apply to individuals subject to Article 3.5 (commencing with Section 11331) during the time that article is operative.

~~(g) This section shall become operative on January 1, 2014.~~

(g) This section shall become inoperative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, as added by the act that added this subdivision, and, as of January 1 of the following year, is repealed.

SEC. 16. Section 11325.22 is added to the Welfare and Institutions Code, to read:

11325.22. (a) Participation in activities assigned pursuant to this section may be sequential or concurrent. The county may require concurrent participation in the assigned activities if it is appropriate to the participant's abilities, consistent with the

1 participant's welfare-to-work plan, and the activities can be
2 concurrently scheduled.

3 (b) The participant has 30 days from the beginning of the initial
4 training or education assignment in which to request a change or
5 reassignment to another component. The county shall grant the
6 participant's request for reassignment if another assignment is
7 available that is consistent with the participant's welfare-to-work
8 plan and the county determines the other assignment will readily
9 lead to employment. This grace period shall be available only once
10 to each participant.

11 (c) Any assignment or change in assignment to a program
12 activity pursuant to this section shall be included in the
13 welfare-to-work plan, or an amendment to the plan, as required
14 in Section 11325.21.

15 (d) This section shall not apply to individuals subject to Article
16 3.5 (commencing with Section 11331) during the time that article
17 is operative.

18 (e) This section shall become operative on July 1, 2026, or, if
19 automation is necessary, the later of July 1, 2026, or when the
20 department notifies the Legislature that the Statewide Automated
21 Welfare System can perform the necessary automation to implement
22 this section.

23 SEC. 17. Section 11325.4 of the Welfare and Institutions Code
24 is amended to read:

25 11325.4. (a) Upon referral to assessment, a participant shall
26 work with the county welfare department to develop and agree on
27 a welfare-to-work plan on the basis of an assessment of the
28 individual's skills and needs. The assessment shall include at least
29 all of the following:

30 (1) The participant's work history and an inventory of ~~his or~~
31 ~~her~~ *their* employment skills, knowledge, and abilities.

32 (2) The participant's educational history and present educational
33 competency level.

34 (3) The participant's need for supportive services in order to
35 obtain the greatest benefit from the employment and training
36 services offered under this article.

37 (4) An evaluation of the chances for employment given the
38 current skills of the participant and the local labor market
39 conditions.

40 (5) Local labor market information.

1 (6) Physical limitations or mental conditions that limit the
2 participant's ability for employment or participation in
3 welfare-to-work activities.

4 (b) The county may contract with outside parties, including
5 local educational agencies and service delivery areas, to provide
6 the assessment.

7 (c) (1) Notwithstanding the procedures set forth in Chapter 7
8 (commencing with Section 10950) of Part 2, if the participant and
9 assessor are unable to reach agreement on the welfare-to-work
10 plan, the matter shall be referred by the county for an independent
11 assessment by an impartial third party. The results of this
12 assessment, which shall be binding upon the county and the
13 participant, shall be used to develop the appropriate plan for the
14 participant.

15 (2) No third party assessment under this subdivision shall be
16 made by a party having any financial or other interest in the result
17 of the assessment. The party making the assessment shall be
18 selected by the county according to an unbiased procedure.

19 (d) This section shall not apply to individuals subject to Article
20 3.5 (commencing with Section 11331) during the time that article
21 is operative.

22 (e) *This section shall become inoperative on July 1, 2026, or,*
23 *if automation is necessary, the later of July 1, 2026, or when the*
24 *department notifies the Legislature that the Statewide Automated*
25 *Welfare System can perform the necessary automation to implement*
26 *this section, as added by the act that added this subdivision, and,*
27 *as of January 1 of the following year, is repealed.*

28 SEC. 18. Section 11325.4 is added to the Welfare and
29 Institutions Code, to read:

30 11325.4. (a) *An assessment shall be available upon completion*
31 *of orientation and appraisal pursuant to Section 11320.1. An*
32 *assessment evaluates the participants' strengths and skills to assist*
33 *them in choosing the activities they wish to include in their*
34 *welfare-to-work plan. At the participant's option, this assessment*
35 *may incorporate the Online CalWORKs Appraisal Tool, and shall*
36 *include at least all of the following:*

37 (1) *The participant's work history and an inventory of their*
38 *employment skills, knowledge, and abilities.*

39 (2) *The participant's educational history and present*
40 *educational competency level.*

1 (3) *The participant's need for supportive and barrier removal*
2 *services in order to obtain the greatest benefit from the employment*
3 *and training services offered under this article.*

4 (4) *An evaluation of the chances for employment given the*
5 *current skills of the participant and the local labor market*
6 *conditions.*

7 (5) *Local labor market information.*

8 (6) *Physical limitations or mental conditions that limit the*
9 *participant's ability for employment or participation in*
10 *welfare-to-work activities.*

11 (b) *Counties may contract with outside parties, including local*
12 *educational agencies and service delivery areas to perform all or*
13 *part of the assessment.*

14 (c) *Notwithstanding the rulemaking provisions of the*
15 *Administrative Procedure Act (Chapter 3.5 (commencing with*
16 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*
17 *Code), the department may implement, interpret, or make specific*
18 *this section by means of all-county letters or similar written*
19 *instructions from the department until regulations are adopted.*
20 *These all-county letters or similar instructions shall have the same*
21 *force and effect as regulations until the adoption of regulations.*

22 (d) *This section shall become operative on July 1, 2026, or, if*
23 *automation is necessary, the later of July 1, 2026, or when the*
24 *department notifies the Legislature that the Statewide Automated*
25 *Welfare System can perform the necessary automation to implement*
26 *this section.*

27 SEC. 19. *Section 11325.6 of the Welfare and Institutions Code*
28 *is repealed.*

29 ~~11325.6. Subject to the limitations of subdivision (f) of Section~~
30 ~~11322.6 and subdivision (a) of Section 11325.22, if activities to~~
31 ~~be provided under the plan between the county welfare department~~
32 ~~and the participant are not immediately available to the participant,~~
33 ~~he or she shall receive job search activities until the education or~~
34 ~~training services designated in the plan are available.~~

35 SEC. 20. *Section 11326 of the Welfare and Institutions Code*
36 *is repealed.*

37 ~~11326. (a) The county shall conduct a reappraisal of any~~
38 ~~participant who does not obtain unsubsidized employment upon~~
39 ~~completion of all activities included in the welfare-to-work plan~~
40 ~~developed pursuant to Section 11325.4. The reappraisal shall~~

1 ~~evaluate whether there are extenuating circumstances as defined~~
2 ~~by the county that prevent the participant from obtaining~~
3 ~~employment within the local labor market area.~~

4 ~~(b) Upon a determination that extenuating circumstances exist,~~
5 ~~the participant shall be assigned to additional activities in~~
6 ~~accordance with subdivision (b) of Section 11325.22 as the county~~
7 ~~determines to be appropriate and necessary.~~

8 ~~(c) Upon a determination that no extenuating circumstances~~
9 ~~exist, and until this determination is reversed, the participant shall~~
10 ~~be limited to the activities in subdivisions (a), (d), (i), (l), and (q)~~
11 ~~of Section 11322.6. Participation in those activities shall be subject~~
12 ~~to the requirements of Section 11322.8.~~

13 *SEC. 21. Section 11327.4 of the Welfare and Institutions Code*
14 *is amended to read:*

15 11327.4. (a) (1) Whenever an individual has failed or refused
16 to comply with program requirements without good cause in a
17 program component to which ~~he or she is~~ *they are* assigned and
18 refuses to agree to or fails, without good cause, to comply with a
19 compliance plan agreed to between the county and the participant,
20 the individual shall be subject to sanctions specified in Section
21 11327.5.

22 (2) For the purposes of this article, the phrase “failed or refused
23 to comply with program requirements” shall be limited to: failing
24 or refusing to sign a welfare-to-work plan, participate or provide
25 required proof of satisfactory progress in any assigned program
26 activity, pursuant to this article, including self-initiated programs
27 described in Section 11325.23 or accept employment; terminating
28 employment; or reducing earnings.

29 (b) (1) Upon determination that an individual has failed or
30 refused to comply with program requirements, the county shall
31 issue a notice of action effective no earlier than 30 calendar days
32 from the date of issuance informing the individual that a sanction
33 will be imposed if the individual fails to either attend an
34 appointment scheduled by the county to be held within 20 calendar
35 days of the notice, or contact the county by phone, within 20
36 calendar days of the notice, and fails to do either of the following:

37 (A) Provide information to the county that ~~he or she~~ *they* had
38 good cause for the refusal or failure that has led the county to make
39 a finding of good cause for nonparticipation.

1 (B) Agree to a compliance plan to correct the failure or refusal
2 to comply.

3 (2) The county shall schedule a time during which each
4 individual who has failed or refused to comply with program
5 requirements has an opportunity to demonstrate that ~~he or she~~ *they*
6 had good cause for that refusal or failure. The county shall schedule
7 an appointment within 20 calendar days of the notice of action.
8 The individual shall be allowed to reschedule the cause
9 determination appointment *at least* once within the 20-calendar-day
10 period.

11 (3) The written notice of action sent by the county shall do all
12 of the following:

13 (A) Inform the individual of the specific act or acts that have
14 caused the individual to be out of compliance with participation
15 requirements.

16 (B) Inform the individual of ~~his or her~~ *their* right to assert good
17 cause for ~~his or her~~ *their* refusal or failure.

18 (C) Inform the individual of the date and time of the scheduled
19 appointment.

20 (D) Provide a general definition of good cause and examples
21 of reasons that constitute good cause for not participating in the
22 program.

23 (E) Inform the individual of the right to contact the county
24 welfare department by telephone to establish good cause over the
25 telephone in lieu of attending the appointment scheduled by the
26 county.

27 (F) Inform the individual of the right to reschedule the
28 appointment once within the 20-calendar-day period.

29 (G) Inform the individual that if good cause is not found, a
30 compliance plan will be developed and the individual will be
31 expected to agree to the plan or face a sanction.

32 (H) Inform the individual of the name, telephone number, and
33 address of state and local legal aid and welfare rights organizations
34 that may assist the individual with the good cause and compliance
35 plan process.

36 (I) Describe the transportation and child care services that a
37 person is entitled to, as needed in order to attend the appointment.

38 (c) If the individual fails to attend the appointment, the county
39 shall attempt to contact the individual by telephone at the time of
40 or after the appointment in order to establish a finding of good

1 cause or no good cause, and, if a finding of no good cause is made,
2 develop a compliance plan to correct the instance of
3 nonparticipation.

4 (d) If the individual fails to attend the meeting and the county
5 is not able to contact the individual in accordance with subdivision
6 (c), and the individual fails to contact the county within the
7 20-calendar-day period, a sanction shall be imposed in accordance
8 with Section 11327.5.

9 (e) If the individual attends the appointment or contacts the
10 county by phone within the 20-calendar-day period and is either
11 found by the county to have had good cause for ~~his or her~~ *their*
12 refusal or failure, or agrees to a compliance plan to correct the
13 failure or refusal, the county shall rescind the notice of action
14 issued pursuant to subdivision (b). If the individual agrees to a
15 compliance plan at the appointment, the individual shall be
16 provided a copy of the plan. If the individual agrees to a
17 compliance plan over the telephone, a copy of the plan shall be
18 mailed to the client.

19 (f) If the individual is found by the county to have had good
20 cause for ~~his or her~~ *their* refusal or failure, an instance of
21 noncompliance shall not be considered to have occurred.

22 (g) If the individual is found by the county not to have had good
23 cause, but agrees to a compliance plan and then fulfills the terms
24 of the compliance plan, an instance of noncompliance shall not be
25 considered to have occurred.

26 (h) If the individual enters into a written compliance plan, but
27 does not fulfill the terms of the plan, and the county determines,
28 based on available information, that the individual did not have
29 good cause for failure to meet the terms of the plan, the county
30 shall send a notice of action to impose a sanction. The procedures
31 specified in subdivision (b) shall not be applicable to a sanction
32 imposed under this subdivision.

33 *SEC. 22. Section 11327.41 is added to the Welfare and*
34 *Institutions Code, immediately following Section 11327.4, to read:*

35 *11327.41. (a) Notwithstanding any other law, a person shall*
36 *not be subject to the sanctions specified in Section 11327.5 unless*
37 *the county verifies that the person had childcare available at the*
38 *time they were supposed to participate in a specified*
39 *welfare-to-work activity.*

1 (b) Prior to imposing sanctions pursuant to Section 11327.5,
2 the county shall confirm that it provided the participant a request
3 form and the reimbursement rules for childcare supportive services
4 and that, if eligible for childcare supportive services, the
5 participant had secured childcare.

6 (c) Notwithstanding the rulemaking provisions of the
7 Administrative Procedure Act (Chapter 3.5 (commencing with
8 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
9 Code), the department may implement, interpret, or make specific
10 this section by means of all-county letters or similar written
11 instructions from the department until regulations are adopted.
12 These all-county letters or similar instructions shall have the same
13 force and effect as regulations until the adoption of regulations.

14 (d) This section shall become operative on July 1, 2026, or, if
15 automation is necessary, the later of July 1, 2026, or on the date
16 the department notifies the Legislature that the Statewide
17 Automated Welfare System can perform the necessary automation
18 to implement this section.

19 SEC. 23. Section 11327.5 of the Welfare and Institutions Code
20 is amended to read:

21 11327.5. (a) Sanctions shall be imposed in accordance with
22 subdivision (b) or (c), as appropriate, if an individual has failed or
23 refused to comply with program requirements without good cause
24 and conciliation efforts, as described in Section 11327.4, have
25 failed.

26 (b) (1) The sanctions provided for in subdivisions (c) and (d)
27 shall not apply to an individual who is exempt from the
28 requirements of this article but is voluntarily participating in the
29 program. If that individual engages in conduct that would bring
30 about the actions provided for in subdivisions (c) and (d), except
31 for ~~his or her~~ their status as a voluntary program participant, the
32 individual shall not be given priority so long as other individuals
33 are actively seeking to participate.

34 (2) Within the first 90 days after an individual is determined
35 eligible for aid, the sanctions provided for in subdivisions (c) and
36 (d) shall not apply.

37 (c) Financial sanctions for failing or refusing to comply with
38 program requirements without good cause shall cause a reduction
39 in the family's grant by removing the noncomplying family

1 member from the assistance unit for a period of time specified in
2 subdivision (d).

3 (1) For families that qualify for aid due to unemployment of the
4 family's primary wage earner, the sanctioned parent shall be
5 removed from the assistance unit. Unless the spouse or the family's
6 second parent meets the provisions of subparagraph (A) of
7 paragraph (2), if the sanctioned parent's spouse or the family's
8 second parent is not participating in the program, both the
9 sanctioned parent and the spouse or second parent shall be removed
10 from the assistance unit. The county shall notify the spouse of the
11 noncomplying participant or second parent in writing at the
12 commencement of conciliation of ~~his or her~~ *their* own opportunity
13 to participate and the impact on sanctions of that participation.

14 (2) (A) Except as provided in subparagraph (B), exemption
15 criteria specified in Section 11320.3, conciliation specified in
16 Section 11327.4, and good cause criteria specified in Section
17 11320.31 and subdivision (f) of Section 11320.3 shall apply to the
18 sanctioned parent's spouse or the family's second parent.

19 (B) Exemption criteria specified in paragraphs (5) and (6) of
20 subdivision (b) of Section 11320.3 do not apply to a spouse or
21 second parent who is participating to avoid the sanction of the
22 noncomplying parent.

23 (C) If the sanctioned parent's spouse or the family's second
24 parent chooses to participate to avoid the noncomplying parent's
25 sanction, subsequently fails or refuses to participate without good
26 cause, and does not conciliate, ~~he or she~~ *they* shall be removed
27 from the assistance unit for a period of time specified in subdivision
28 (d).

29 (D) If the sanctioned parent's spouse or the family's second
30 parent is under ~~his or her~~ *their* own sanction at the time of the first
31 parent's sanction, the spouse or second parent shall not be provided
32 the opportunity to avoid the first parent's sanction until the spouse
33 or second parent's sanction is completed.

34 (3) For families that qualify due to the absence or incapacity of
35 a parent, only the noncomplying parent shall be removed from the
36 assistance unit.

37 (4) If the noncomplying individual is the only dependent child
38 in the family, ~~his or her~~ *their* needs shall not be taken into account
39 in determining the family's need for assistance and the amount of
40 the assistance payment.

(5) If the noncomplying individual is one of several dependent children in the family, ~~his or her~~ *their* needs shall not be taken into account in determining the family's need for assistance and the amount of the assistance payment.

(d) (1) An instance of noncompliance without good cause shall result in a financial sanction. This sanction shall terminate at any point if the noncomplying participant ~~performs the activity or activities he or she previously refused to perform.~~ *indicates to the county verbally or in writing that they want to cure their sanction and that they want to begin participating in welfare-to-work activities, or at any point the county verifies or otherwise discovers that, based on the most recent documentation available, the individual is or has been meeting the federally required minimum average number of hours per week of welfare-to-work participation as set forth in Section 607 of Title 42 of the United States Code. If the participant wants to change their assigned activities, the county and the participant shall agree verbally or in writing to a new or amended welfare-to-work plan.*

(2) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement and administer the changes made to this subdivision by the act that added this paragraph, through all-county letters or similar instruction that shall have the same force and effect as regulations until regulations are adopted.

(e) Sanctions shall become effective on the first day of the first payment-month that the sanctioned individual's needs are removed from aid under this chapter.

(f) In the event this section conflicts with federal law, the department shall adopt regulations to conform to federal law.

(g) *The changes made to this section by the act that added this subdivision shall become operative on July 1, 2026, or, if automation is necessary, the later of July 1, 2026, or on the date the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement the changes made to this section by the act that added this subdivision.*

SEC. 24. Section 11461 of the Welfare and Institutions Code is amended to read:

11461. (a) For children or, on and after January 1, 2012, nonminor dependents placed in a licensed or approved family home with a capacity of six or less, or in an approved home of a relative or nonrelated legal guardian, or the approved home of a nonrelative extended family member, as described in Section 362.7, or, on and after January 1, 2012, a supervised independent living placement, as defined in subdivision (w) of Section 11400, the per child per month basic rates in the following schedule shall be in effect for the period July 1, 1989, through December 31, 1989:

Age	Basic rate
0-4.....	\$ 294
5-8.....	\$ 319
9-11.....	\$ 340
12-14.....	\$ 378
15-20.....	\$ 412

(b) (1) Any county that, as of October 1, 1989, has in effect a basic rate that is at the levels set forth in the schedule in subdivision (a), shall continue to receive state participation, as specified in subdivision (c) of Section 15200, at these levels.

(2) Any county that, as of October 1, 1989, has in effect a basic rate that exceeds a level set forth in the schedule in subdivision (a), shall continue to receive the same level of state participation as it received on October 1, 1989.

(c) The amounts in the schedule of basic rates in subdivision (a) shall be adjusted as follows:

(1) Effective January 1, 1990, the amounts in the schedule of basic rates in subdivision (a) shall be increased by 12 percent.

(2) Effective May 1, 1990, any county that did not increase the basic rate by 12 percent on January 1, 1990, shall do both of the following:

(A) Increase the basic rate in effect December 31, 1989, for which state participation is received by 12 percent.

(B) Increase the basic rate, as adjusted pursuant to subparagraph (A), by an additional 5 percent.

(3) (A) Except as provided in subparagraph (B), effective July 1, 1990, for the 1990-91 fiscal year, the amounts in the schedule of basic rates in subdivision (a) shall be increased by an additional 5 percent.

(B) The rate increase required by subparagraph (A) shall not be applied to rates increased May 1, 1990, pursuant to paragraph (2).

(4) Effective July 1, 1998, the amounts in the schedule of basic rates in subdivision (a) shall be increased by 6 percent. Notwithstanding any other law, the 6-percent increase provided for in this paragraph shall, retroactive to July 1, 1998, apply to every county, including any county to which paragraph (2) of subdivision (b) applies, and shall apply to foster care for every age group.

(5) Notwithstanding any other law, any increase that takes effect after July 1, 1998, shall apply to every county, including any county to which paragraph (2) of subdivision (b) applies, and shall apply to foster care for every age group.

(6) The increase in the basic foster family home rate shall apply only to children placed in a licensed foster family home receiving the basic rate or in an approved home of a relative or nonrelative extended family member, as described in Section 362.7, a supervised independent living placement, as defined in subdivision (w) of Section 11400, or a nonrelated legal guardian receiving the basic rate. The increased rate shall not be used to compute the monthly amount that may be paid to licensed foster family agencies for the placement of children in certified foster homes.

(d) (1) (A) Beginning with the 1991–92 fiscal year, the schedule of basic rates in subdivision (a) shall be adjusted by the percentage changes in the California Necessities Index, computed pursuant to the methodology described in Section 11453, subject to the availability of funds.

(B) In addition to the adjustment in subparagraph (A) effective January 1, 2000, the schedule of basic rates in subdivision (a) shall be increased by 2.36 percent rounded to the nearest dollar.

(C) Effective January 1, 2008, the schedule of basic rates in subdivision (a), as adjusted pursuant to subparagraph (B), shall be increased by 5 percent, rounded to the nearest dollar. The increased rate shall not be used to compute the monthly amount that may be paid to licensed foster family agencies for the placement of children in certified foster family homes, and shall not be used to recompute the foster care maintenance payment that would have been paid based on the age-related, state-approved foster family home care rate and any applicable specialized care increment, for any adoption assistance agreement entered into prior to October 1, 1992, or in

1 any subsequent reassessment for adoption assistance agreements
2 executed before January 1, 2008.

3 (2) (A) Any county that, as of the 1991–92 fiscal year, receives
4 state participation for a basic rate that exceeds the amount set forth
5 in the schedule of basic rates in subdivision (a) shall receive an
6 increase each year in state participation for that basic rate of
7 one-half of the percentage adjustments specified in paragraph (1)
8 until the difference between the county’s adjusted state
9 participation level for its basic rate and the adjusted schedule of
10 basic rates is eliminated.

11 (B) Notwithstanding subparagraph (A), all counties for the
12 1999–2000 fiscal year and the 2007–08 fiscal year shall receive
13 an increase in state participation for the basic rate of the entire
14 percentage adjustment described in paragraph (1).

15 (3) If a county has, after receiving the adjustments specified in
16 paragraph (2), a state participation level for a basic rate that is
17 below the amount set forth in the adjusted schedule of basic rates
18 for that fiscal year, the state participation level for that rate shall
19 be further increased to the amount specified in the adjusted
20 schedule of basic rates.

21 (e) (1) As used in this section, “specialized care increment”
22 means an amount paid on behalf of a child requiring specialized
23 care to a home listed in subdivision (g) in addition to the rates set
24 forth in subdivisions (g) and (h). Notwithstanding subdivision (g),
25 the specialized care increment shall not be paid to a nonminor
26 dependent placed in a supervised independent living placement as
27 defined in subdivision (w) of Section 11400. A county or tribe that
28 has entered into a Title IV-E intergovernmental agreement pursuant
29 to Section 10553.1 may have a ratesetting system for specialized
30 care to pay for the additional care and supervision needed to
31 address the behavioral, emotional, and physical requirements of
32 foster children. A county or tribe that has entered into a Title IV-E
33 intergovernmental agreement pursuant to Section 10553.1 may
34 modify its specialized care rate system as needed, to accommodate
35 changing specialized placement needs of children.

36 (2) (A) The department shall have the authority to review the
37 county’s or tribe’s specialized care information, including the
38 criteria and methodology used for compliance with state and federal
39 law, and to require changes if necessary to conform to state and
40 federal law.

(B) The department shall make available to the public each county's or tribe's specialized care information, including the criteria and methodology used to determine the specialized care increments.

(3) Upon a request by a county or tribe that has entered into a Title IV-E intergovernmental agreement pursuant to Section 10553.1 for technical assistance, specialized care information shall be provided by the department within 90 days of the request to the department.

(4) (A) Except for subparagraph (B), beginning January 1, 1990, specialized care increments shall be adjusted in accordance with the methodology for the schedule of basic rates described in subdivision (g).

(B) Notwithstanding subdivision (e) of Section 11460, for the 1993–94 fiscal year, an amount equal to 5 percent of the State Treasury appropriation for family homes shall be added to the total augmentation for the AFDC-FC program in order to provide incentives and assistance to counties in the area of specialized care. This appropriation shall be used, but not limited to, encouraging counties to implement or expand specialized care payment systems, to recruit and train foster parents for the placement of children with specialized care needs, and to develop county systems to encourage the placement of children in family homes. It is the intent of the Legislature that in the use of these funds, federal financial participation shall be claimed whenever possible.

(C) (i) Notwithstanding subparagraph (A), the specialized care increment shall not receive a cost-of-living adjustment in the 2011–12 or 2012–13 fiscal years.

(ii) Notwithstanding clause (i), a county may choose to apply a cost-of-living adjustment to its specialized care increment during the 2011–12 or 2012–13 fiscal years. To the extent that a county chooses to apply a cost-of-living adjustment during that time, the state shall not participate in the costs of that adjustment.

(iii) To the extent that federal financial participation is available for a cost-of-living adjustment made by a county pursuant to clause (ii), it is the intent of the Legislature that the federal funding shall be utilized.

(5) Beginning in the 2011–12 fiscal year, and for each fiscal year thereafter, funding and expenditures for programs and

activities under this subdivision shall be in accordance with the requirements provided in Sections 30025 and 30026.5 of the Government Code.

(f) (1) As used in this section, “clothing allowance” means the amount paid by a county, at the county’s option, in addition to the rates set forth in subdivisions (g) and (h) for the provision of additional clothing for a child, including, but not limited to, an initial supply of clothing and school or other uniforms. The frequency and level of funding shall be based on the needs of the child, as determined by the county.

(2) The state shall no longer participate in any clothing allowance in addition to the basic rate, commencing with the 2011–12 fiscal year.

(g) (1) Notwithstanding subdivisions (a) to (d), inclusive, for a child, or on and after January 1, 2012, a nonminor dependent, placed in a licensed foster family home or with a resource family, or placed in a tribally approved home as defined in Section 224.1, or placed in an approved home of a relative or the approved home of a nonrelative extended family member as described in Section 362.7, or placed on and after January 1, 2012, in a supervised independent living placement, as defined in subdivision (w) of Section 11400, the per child per month basic rate in the following schedule shall be in effect for the period commencing July 1, 2011, or the date specified in the final order, for which the time to appeal has passed, issued by a court of competent jurisdiction in California State Foster Parent Association v. William Lightbourne, et al. (U.S. Dist. Ct. C 07-08056 WHA), whichever is earlier, through June 30, 2012:

Age	Basic rate
0–4.....	\$ 609
5–8.....	\$ 660
9–11.....	\$ 695
12–14.....	\$ 727
15–20.....	\$ 761

(2) Commencing July 1, 2011, the basic rate set forth in this subdivision shall be annually adjusted on July 1 by the annual percentage change in the California Necessities Index applicable to the calendar year within which each July 1 occurs.

1 (3) Subdivisions (e) and (f) shall apply to payments made
2 pursuant to this subdivision.

3 (4) (A) (i) For the 2016–17 fiscal year, the department shall
4 develop a basic rate in coordination with the development of the
5 foster family agency rate authorized in Section 11463 that ensures
6 a child placed in a home-based setting described in paragraph (1),
7 and a child placed in a certified family home or with a resource
8 family approved by a foster family agency, is eligible for the same
9 basic rate set forth in this paragraph.

10 (ii) The rates developed pursuant to this paragraph shall not be
11 lower than the rates proposed as part of the Governor’s 2016 May
12 Revision.

13 (iii) Unless the Tiered Rate Structure established in subdivision
14 (h) applies to a child or nonminor dependent, a certified family
15 home of a foster family agency shall be paid the basic rate set forth
16 in this paragraph only through December 31, 2028, or 24 months
17 from the date required under paragraph (9) of subdivision (h),
18 whichever is later.

19 (B) The basic rate paid to either a certified family home or a
20 resource family approved by a foster family agency shall be paid
21 by the agency to the certified family home or resource family from
22 the rate that is paid to the agency pursuant to Section 11463.

23 (C) Notwithstanding the rulemaking provisions of the
24 Administrative Procedure Act (Chapter 3.5 (commencing with
25 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
26 Code), the basic rates and the manner in which they are determined
27 shall be set forth in written directives until regulations are adopted.

28 (D) The basic rates set forth in written directives or regulations
29 pursuant to subparagraph (C) shall become inoperative on January
30 1, 2029, or 24 months from the date required under paragraph (9)
31 of subdivision (h) of ~~Section 11461~~, *this section*, whichever is
32 later.

33 (5) (A) (i) Subject to an appropriation in the annual Budget
34 Act, the rate paid for a nonminor dependent placed in a supervised
35 independent living placement in California, as defined in
36 subdivision (w) of Section 11400, shall be supplemented with a
37 housing supplement, which shall be calculated by the department
38 as the difference between one-half of the federal fiscal year 2023
39 fair market rent for a two-bedroom apartment in the county in

1 which the nonminor resides and 30 percent of the rate established
2 pursuant to paragraphs (1) to (4), inclusive, of this subdivision.

3 (ii) A nonminor dependent shall not receive a monthly rate less
4 than the rate established pursuant to paragraphs (1) to (4), inclusive,
5 of this subdivision.

6 (B) The supplement pursuant to subparagraph (A) shall
7 commence on July 1, 2025, or when the department notifies the
8 Legislature that the Statewide Automated Welfare System
9 (CalSAWS) can perform the necessary automation to implement
10 it, whichever is later.

11 (C) The monthly housing supplement payment made pursuant
12 to this section shall be added to the rate paid to a nonminor
13 dependent placed in a supervised independent living placement
14 and shall be prorated based on the number of days in a month the
15 nonminor dependent was in the placement eligible for the
16 supplement. Notwithstanding Section 11466.24, overpayments
17 shall not be collected on the housing supplement pursuant to this
18 paragraph.

19 (D) The department shall work with the County Welfare
20 Directors Association of California and the CalSAWS to develop
21 and implement the necessary system changes to implement the
22 housing supplement provided pursuant to subparagraph (A).

23 (E) Consistent with the implementation timeline in subparagraph
24 (B), the department shall annually calculate the housing supplement
25 described in this paragraph by November 1 of each year and shall
26 inform the CalSAWS of the amount of the supplement by means
27 of all-county letters or similar written instructions. The department
28 shall annually inform county welfare agencies in the month of July
29 of the following year of the amount of the supplement by means
30 of all-county letters or similar written instructions.

31 (F) For purposes of this paragraph, “fair market rent” means
32 the federal fiscal year 2023 rent calculated for the fair market rent
33 system developed by the United States Department of Housing
34 and Urban Development for use in determining the allowable rent
35 level for an individual who participates in the Housing Choice
36 Voucher program, including the cost of housing and utilities, except
37 for telephone, cable, and internet, and is calculated for each county
38 by the United States Department of Housing and Urban
39 Development.

(h) Unless otherwise specified by law, and except as provided in paragraphs (6) to (8), inclusive, in accordance with the schedules provided in paragraph (4) and Sections 16562 and 16565, the per child per month rate for every child in foster care shall be based on the Tiered Rate Structure as set forth in this subdivision.

(1) The following definitions shall apply for purposes of the Tiered Rate Structure established in this section:

(A) “Integrated Practice-Child and Adolescent Needs and Strengths” or “IP-CANS” means a validated functional assessment tool that supports decisionmaking and allows for the monitoring of outcomes and services, assesses the well-being of children through the identification of their strengths and needs, and determines their tier as part of the Tiered Rate Structure established in this subdivision.

(B) “Tiered Rate Structure” means the framework that establishes a rate structure consisting of three tiers developed by the department based on a statistical analysis of the IP-CANS assessment of California foster children. The tier levels are designed to address the levels of care and needs of the children in each tier regardless of their placement setting.

(2) The Tiered Rate Structure shall consist of the following three components:

(A) An amount paid to the foster care provider in return for care and supervision, as defined in subdivision (b) of Section 11460.

(B) Strengths Building Funding to provide for a child’s strengths building objectives, as identified by the IP-CANS, paid pursuant to the Strengths Building Child and Family Determination Program established in Section 16565.

(C) Immediate Needs Funding to provide for a child’s immediate needs as identified by the IP-CANS, paid pursuant to the Immediate Needs Program established in Section 16562.

(3) As the Care and Supervision component of the Tiered Rate Structure, foster care providers shall be paid a per child per month rate in return for care and supervision, as defined in subdivision (b) of Section 11460, excluding paragraphs (1) and (2) of that subdivision, based on the child’s tier established by the results of the child’s IP-CANS assessment, as follows:

Tier 1: \$1788

Tier 2: \$3490

Tier 3: \$6296 [Ages 0-5]

1 Tier 3+: \$6296 [Ages 6+]

2 (4) ~~The Care and Supervision component components~~ of the
3 Tiered Rate Structure described in paragraph ~~(3)~~ (2) shall be phased
4 in as follows:

5 (A) (i) For new entries or reentries into foster care, as defined
6 by the department, beginning on the date required by paragraph
7 (9), ~~a the components of the Tiered Rate Structure shall be effective~~
8 ~~on the date on which the IP-CANS assessment is completed and~~
9 ~~entered into the statewide child welfare information system, as~~
10 ~~prescribed by Section 16560, or 60 days after the child enters or~~
11 ~~reenters foster care, whichever comes first.~~

12 (ii) A rate of two thousand five hundred dollars (\$2500) for the
13 Care and Supervision component, as set forth in paragraph (3),
14 shall be paid pending completion ~~and entry into the statewide child~~
15 ~~welfare information system of the IP-CANS assessment to~~
16 ~~determine the child's tier or for the first 60 days after the child~~
17 ~~enters foster care, as defined in written guidance to be provided~~
18 ~~by the department. tier, as prescribed by Section 16560. This rate~~
19 ~~shall be referred to as the "entry rate" and, beginning July 1, 2028,~~
20 ~~shall be annually adjusted on July 1 by the annual percentage~~
21 ~~change in the California Necessities Index applicable to the~~
22 ~~calendar year within which each July 1 occurs. Upon the~~
23 ~~completion of the IP-CANS assessment, the rate shall be paid as~~
24 ~~set forth in paragraph (3). rate."~~

25 (iii) *Provided all state and federal rate and licensing*
26 *requirements are met, the entry rate for a child or nonminor*
27 *dependent placed with a foster family agency or short-term*
28 *residential therapeutic program shall also include a rate of one*
29 *thousand six hundred ten dollars (\$1,610) for administrative and*
30 *other activities, as set forth in paragraphs (1) and (2) of subdivision*
31 *(b) of Section 11460.*

32 (iv) *Beginning July 1, 2028, the entry rate shall be annually*
33 *adjusted on July 1 by the annual percentage change in the*
34 *California Necessities Index that applies to the year in which the*
35 *annual adjustment is made.*

36 (v) *If the IP-CANS assessment is not completed and entered*
37 *into the statewide child welfare information system within 60 days*
38 *of a child's entry or reentry into foster care, the components of*
39 *the Tiered Rate Structure shall be effective retroactive to 60 days*
40 *after the child enters or reenters foster care.*

(B) For all other children in foster care placement on July 1, 2027, the rate for the Care and Supervision component components of the Tiered Rate Structure as set forth in paragraph (3) (2) shall be paid consistent with the child's tier as determined by the child's IP-CANS assessment, pursuant to a schedule to be determined by the department, and developed in collaboration with county placing agencies, tribes, and stakeholders, but in no case later than January 1, 2029, or 24 months from the date required under paragraph (9), whichever is later.

(5) Beginning July 1, 2028, and on July 1 of each fiscal year thereafter, the rate set forth in paragraph (3) shall be annually adjusted by the annual percentage change in the California Necessities Index applicable to the calendar year within which each July 1 occurs.

(6) Notwithstanding paragraph (3), the following care and supervision rates shall apply in the following settings:

(A) The care and supervision rate paid on behalf of a child or nonminor dependent placed in a setting described in subdivision (d) of Section 11402 shall be the rate set forth in Section 11403.3.

(B) The rate paid for a nonminor dependent placed in a setting described in subdivision (w) of Section 11400 shall be the rate set forth in paragraphs (4) and (5) of subdivision (g). Beginning July 1, 2027, or on the date required under paragraph (9), whichever is later, the rate paid shall consist of the sum of the following:

(i) A rate equivalent to Tier 1 of the care and supervision rate in paragraph (3) inclusive of any annual adjustments described in paragraph (5).

(ii) A rate equivalent to Tier 1 of the Strengths Building Funding set forth in paragraph (1) of subdivision (d) of Section 16565.

(iii) Subject to an appropriation in the annual Budget Act, the housing supplement described in paragraph (5) of subdivision (g), if applicable.

(C) The rate paid on behalf of a child or nonminor dependent placed in a setting described in subdivision (h) of Section 11402 shall be the rate established by the State Department of Developmental Services.

(D) Notwithstanding any other law, children and nonminor dependents who are both regional center consumers and recipients of Aid to Families With Dependent Children-Foster Care (AFDC-FC), (AFDC-FC) or the Approved Relative Caregiver

1 Funding Program (ARC), the Kinship Guardianship Assistance
2 Payment Program (Kin-GAP), or the Adoption Assistance Program
3 (AAP) (ARC) shall be assessed for the dual agency rate and
4 supplement, if applicable, according to ~~subdivisions~~ *subdivision*
5 (c) or (d) of Section ~~11464~~, *11464* or subdivision (b) of Section
6 ~~11461.3~~, *subdivision (g) of Section 11364*, or ~~subdivision (c) of~~
7 ~~Section 16121~~, as applicable, and shall also be separately assessed
8 for the tiered rate described in paragraph (3), plus any applicable
9 county specialized care increment, and receive the rate that is
10 higher. Notwithstanding the higher applicable rate received,
11 regional centers shall separately purchase or secure services
12 contained in the child's or nonminor dependent's Individualized
13 Family Services Plan (IFSP) or Individual Program *Plan* (IPP)
14 pursuant to Section 4684.

15 (7) Notwithstanding paragraph (3), the Care and Supervision
16 component shall not apply to a child or nonminor dependent placed
17 in a temporary shelter care facility or transitional shelter care
18 facility.

19 (8) Notwithstanding paragraphs (1) to (4), inclusive, the Tiered
20 Rate Structure shall not apply to a child whose nonrelated legal
21 guardianship was ordered in probate court pursuant to Article 2
22 (commencing with Section 1510) of Chapter 1 of Part 2 of Division
23 4 of the Probate Code.

24 (9) (A) The three components of the Tiered Rate Structure
25 described in paragraph (2) shall become operative on July 1, 2027,
26 or the date ~~that the~~ *after both of the following events have occurred,*
27 *whichever is later:*

28 (i) *The department notifies the Legislature that the California*
29 *Statewide Automated Welfare System can perform the necessary*
30 *automation to implement the Tiered Rate Structure, whichever is*
31 *later. Structure.*

32 (ii) *The Legislature makes an appropriation for the express*
33 *purpose of implementing this subdivision.*

34 (B) *This paragraph shall not be interpreted to cease or delay*
35 *any funding or action required to perform the automation or other*
36 *activities necessary to prepare for the implementation of the Tiered*
37 *Rate Structure.*

38 (10) Notwithstanding the rulemaking provisions of the
39 Administrative Procedure Act (Chapter 3.5 (commencing with
40 Section 11340) of Part 1 of Division 3 of Title 2 of the Government

Code), the department may implement, interpret, or make specific this subdivision by means of all-county letters or similar written instructions, which shall be exempt from submission to or review by the Office of Administrative Law. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations no later than January 1, 2030.

(i) Beginning in the 2011–12 fiscal year, and each fiscal year thereafter, funding and expenditures for programs and activities under this section shall be in accordance with the requirements provided in Sections 30025 and 30026.5 of the Government Code.

SEC. 25. Section 15771 of the Welfare and Institutions Code is amended to read:

15771. (a) Subject to an appropriation of funds for this purpose in the annual Budget Act, the department shall award grants to counties, tribes, or groups of counties or tribes, that provide services to older adults and dependent adults who experience abuse, neglect, self-neglect, or exploitation and otherwise meet the eligibility criteria for adult protective services, for the purpose of providing housing-related supports to eligible individuals.

(b) Notwithstanding subdivision (a), this section does not create an entitlement to housing-related assistance, which is to be provided at the discretion of the grantee as a service to eligible individuals.

(c) (1) It is the intent of the Legislature that housing-related assistance provided pursuant to this chapter utilize evidence-based practices in homeless assistance and prevention, including housing risk screening and assessments, housing first, rapid rehousing, and supportive housing.

(2) Housing-related supports and services available to participating individuals may include, but are not limited to, all of the following:

(A) An assessment of each individual’s housing needs, including a plan to assist the individual in meeting those needs, consistent with the case plan, as developed by the adult protective services agency. To the extent feasible, the plan shall be developed in coordination with a multidisciplinary team that may include housing program providers, mental health providers, local law enforcement, legal assistance providers, and others as deemed relevant by the adult protective services agency.

1 (B) Navigation or search assistance to recruit landlords and
2 assist individuals in locating affordable or subsidized housing.

3 (C) Enhanced case management, including motivational
4 interviewing and trauma-informed care, to help the individual
5 recover from elder abuse, neglect, or financial exploitation.

6 (D) Housing-related financial assistance, including rental
7 assistance, security deposit assistance, utility payments, moving
8 cost assistance, and interim housing assistance while housing
9 navigators are actively seeking permanent housing options for the
10 individual.

11 (E) Housing stabilization services, including ongoing landlord
12 engagement, case management, public systems assistance, legal
13 services, tenant education, eviction protection, credit repair
14 assistance, life skills training, heavy cleaning, and conflict
15 mediation with landlords, neighbors, and families.

16 (F) If the individual requires supportive housing, referral to the
17 local homeless continuum of care for long-term services promoting
18 housing stability.

19 (G) Referrals and coordination of services to access mental or
20 behavioral health assistance, as necessary or appropriate.

21 (d) The department shall provide grants to counties and tribes
22 according to criteria and procedures developed by the department,
23 in consultation with the County Welfare Directors Association of
24 California, tribes, the California Elder Justice Coalition, and the
25 California Commission on Aging. These criteria shall include, but
26 are not limited to, all of the following:

27 (1) Eligible sources of funds and in-kind contributions to match
28 the grant, as described in paragraph (1) of subdivision (e).

29 (2) The proportion of funding to be expended on reasonable
30 and appropriate administrative activities, in order to minimize
31 overhead and maximize services.

32 (3) Tracking and reporting procedures for the program, which
33 shall be conducted as a condition of receiving funds, including,
34 but not limited to, collecting disaggregated data on all of the
35 following:

36 (A) The number of people determined eligible for the program.

37 (B) The number of people receiving assistance from the program
38 and the duration of that assistance.

39 (C) The types of housing assistance received by recipients.

1 (D) The housing status six months and one year after receiving
2 assistance from the program.

3 (E) The number of substantiated adult protective services reports
4 six months and one year after receiving assistance from the
5 program.

6 (e) Grants shall be subject to all of the following requirements:

7 (1) (A) Except as otherwise provided in subparagraph (B),
8 grantees shall match the funding on a dollar-for-dollar basis, which
9 may be met by cash or in-kind contributions.

10 (B) ~~Between July 1, 2021, and June 30, 2026, Beginning on~~
11 ~~July 1, 2021, grantees that receive state funds under this chapter~~
12 ~~shall not be required to match any funding provided during that~~
13 ~~period.~~ *funding.*

14 (2) Grantees shall demonstrate the extent to which they will
15 attempt to leverage county mental health services funds for
16 participating individuals, and any barriers to leveraging these funds.

17 (3) Grantees shall agree to actively cooperate with tracking,
18 reporting, and evaluation efforts.

19 (4) Grantees shall coordinate with the local homeless continuum
20 of care network.

21 (f) Funding pursuant to this section shall supplement, and not
22 supplant, the level of county or tribal funding spent on these
23 purposes in the 2017–18 fiscal year.

24 (g) Utilizing the funds appropriated for purposes of this chapter,
25 the department shall, in consultation with the County Welfare
26 Directors Association of California, tribes, the California Elder
27 Justice Coalition, and the California Commission on Aging, enter
28 into a contract with an independent evaluation and research agency
29 to evaluate the impacts of the program, which may include, but
30 are not limited to, the following:

31 (1) The likelihood of future homelessness and housing instability
32 among recipients.

33 (2) The likelihood of future instances of abuse and neglect
34 among recipients.

35 (3) Program costs and benefits.

36 (h) This chapter shall not be construed to require a tribe, or tribal
37 entity or agency, to comply with Chapter 13 (commencing with
38 Section 15750) of this part, including, but not limited to, the
39 requirement to establish a county adult protective services system
40 or an emergency response adult protective services program.

(i) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this chapter through all-county letters without taking regulatory action.

SEC. 26. Section 16501 of the Welfare and Institutions Code is amended to read:

16501. (a) (1) As used in this chapter, “child welfare services” means public social services that are directed toward the accomplishment of any or all of the following purposes:

(A) Protecting and promoting the welfare of all children, including disabled, homeless, dependent, or neglected children.

(B) Preventing or remedying, or assisting in the solution of problems that may result in, the neglect, abuse, exploitation, or delinquency of children.

(C) Preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing breakup of the family where the prevention of child removal is desirable and possible.

(D) Restoring to their families children who have been removed, by the provision of services to the child and the families.

(E) Identifying children to be placed in suitable adoptive homes, in cases where restoration to the biological family is not possible or appropriate.

(F) Ensuring adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption.

(2) “Child welfare services” also means services provided on behalf of children alleged to be the victims of child abuse, neglect, or exploitation. The child welfare services provided on behalf of each child represent a continuum of services, including emergency response services, family preservation services, family maintenance services, family reunification services, and permanent placement services, including supportive transition services. The individual child’s case plan is the guiding principle in the provision of these services. The case plan shall be developed within a maximum of 60 days of the initial removal of the child or of the in-person response required under subdivision (f) if the child has not been

1 removed from their home, or by the date of the dispositional
2 hearing pursuant to Section 358, whichever comes first.

3 (3) “Child welfare services” are best provided in a framework
4 that integrates service planning and delivery among multiple
5 service systems, including the mental health system, using a
6 team-based approach, such as a child and family team. A child
7 and family team brings together individuals that engage with the
8 child or youth and family in assessing, planning, and delivering
9 services consistent with paragraph (1) of subdivision (d) of Section
10 16501.1. Use of a team approach increases efficiency, and thus
11 reduces cost, by increasing coordination of formal services and
12 integrating the natural and informal supports available to the child
13 or youth and family.

14 (4) “Child and family team” means a group of individuals who
15 are convened by the placing agency and who are engaged through
16 a variety of team-based processes to identify the strengths and
17 needs of the child or youth and their family, and to help achieve
18 positive outcomes for safety, permanency, and well-being. The
19 child and family team shall have the same meaning as the “family
20 and permanency team,” as described in Section 675a(c)(1)(B)(ii)
21 of Title 42 of the United States Code.

22 (A) The activities of the team shall include, but not be limited
23 to, all of the following:

24 (i) Providing input into the development of a child and family
25 plan that is strengths-based, needs-driven, and culturally relevant.

26 (ii) Providing input into the placement decision made by the
27 placing agency and the services to be provided in order to support
28 the child or youth.

29 (iii) On and after October 1, 2021, for a child placed into a
30 short-term residential therapeutic program, providing input into
31 all of the following:

32 (I) Required determinations by a qualified individual pursuant
33 to subdivision (g) of Section 4096.

34 (II) Required components of the case plan, including those
35 specified in subparagraph (C) of paragraph (2) of subdivision (d)
36 of Section 16501.1.

37 (III) Development of the plan for family-based aftercare services
38 described in Section 4096.6.

39 (iv) Providing input to the placing agency in developing the
40 Immediate Needs Plan for using the Immediate Needs Funding

1 for each child in the Immediate Needs Program established by
2 Section 16562.

3 (v) Supporting the child and family, as desired by the child and
4 family, by discussing options for goods, services, activities, and
5 supports for the Strengths Building Spending Plan consistent with
6 the Strengths Building Program as described in Section 16565.

7 (vi) Supporting the child and family with resolving disputes
8 that may arise regarding the selection of goods, services, activities
9 and supports for the Strengths Building Spending Plan under the
10 Strengths Building Program established in Section 16565, as
11 needed.

12 (B) (i) The child and family team process shall engage the child
13 or youth, the child's family, and other people important to the
14 family or to the child or youth in meeting the objectives set forth
15 in subparagraph (A). The child and family team shall also include
16 representatives who provide formal supports to the child or youth
17 and family when appropriate, including, but not limited to, all of
18 the following:

19 (I) The caregiver.

20 (II) The placing agency caseworker.

21 (III) A representative from a foster family agency or short-term
22 residential therapeutic program with which a child or youth is
23 placed.

24 (IV) A county mental health representative.

25 (V) A representative from the regional center if the child is
26 eligible for regional center services.

27 (VI) The child or youth's Court-Appointed Special Advocate,
28 if one has been appointed, unless the child or youth objects.

29 (VII) A representative of the child or youth's tribe or Indian
30 custodian, as applicable.

31 (ii) As appropriate, the child and family team also may include
32 other formal supports, such as substance use disorder treatment
33 professionals and educational professionals, providing services to
34 the child or youth and family. For purposes of this definition, the
35 child and family team also may include extended family and
36 informal support persons, such as friends, coaches, faith-based
37 connections, and tribes as identified by the child or youth and
38 family. If placement into a short-term residential therapeutic
39 program or a foster family agency that provides treatment services
40 has occurred or is being considered, the mental health

1 representative is required to be a licensed mental health
2 professional. Any party to the child's case who is represented by
3 an attorney may consult with their attorney regarding this process.
4 The child or youth and their family may request specific persons
5 to be included on the child and family team. Nothing shall preclude
6 another agency serving the child or youth from convening a team
7 in collaboration with the placing agency.

8 (5) "Child and family team meeting" means a convening of all
9 or some members of the child and family team. A child and family
10 team meeting may be requested by any member of the child and
11 family team.

12 (A) Upon the scheduling of a child and family team meeting, a
13 notification shall be provided to the child or youth, their parent or
14 guardian, and the caregiver.

15 ~~(B) The occurrence of the child and family team meeting shall~~
16 ~~be documented in the court report that is prepared pursuant to~~
17 ~~Section 358.1 or 366.1.~~

18 *(B) The placing agency shall document the occurrence and*
19 *summary of the child and family team meeting on the child and*
20 *family team action plan form developed by the department with*
21 *any necessary redactions, a copy of which shall be attached to the*
22 *court report that is prepared pursuant to Section 358.1, 366.1, or*
23 *706.5. The department shall issue written guidance identifying the*
24 *necessary redactions.*

25 (C) (i) The child's court-appointed educational rights holder,
26 if someone other than the parent, guardian, or caregiver, shall be
27 invited to the child and family team meeting if either of the
28 following applies:

29 (I) The child and family team will develop and implement a
30 placement preservation strategy pursuant to Section 16010.7.

31 (II) The child and family team will discuss a placement change.

32 (ii) The child and family team shall discuss if remaining in the
33 school of origin is in the child's best interest.

34 (iii) Pursuant to, and in accordance with, Section 48853.5 of
35 the Education Code, if the child's educational rights holder
36 determines that remaining in, or returning to, the child's school of
37 origin is in the child's best interest, the child and family team, in
38 consultation with the foster care educational liaison, shall determine
39 an appropriate transportation plan for the child to attend their
40 school of origin and any available extracurricular activities.

(6) Child welfare services may include, but are not limited to, a range of service-funded activities, including case management, counseling, emergency shelter care, emergency in-home caretakers, temporary in-home caretakers, respite care, therapeutic day services, teaching and demonstrating homemakers, parenting training, substance abuse testing, transportation, and specialized permanency services. These service-funded activities shall be available to children and their families in all phases of the child welfare program in accordance with the child's case plan and departmental regulations. Funding for services is limited to the amount appropriated in the annual Budget Act and other available county funds.

(7) Service-funded activities to be provided may be determined by each county, based upon individual child and family needs as reflected in the service plan.

(8) As used in this chapter, "emergency shelter care" means emergency shelter provided to children who have been removed pursuant to Section 300 from their parent or parents or their guardian or guardians. The department may establish, by regulation, the time periods for which emergency shelter care shall be funded. For the purposes of this paragraph, "emergency shelter care" may include "transitional shelter care facilities" as defined in paragraph (11) of subdivision (a) of Section 1502 of the Health and Safety Code.

(9) As used in this chapter, "specialized permanency services" means services to assist a child or nonminor dependent whose case plan is for permanent placement or supportive transition to adulthood in achieving a permanent family through reunification, adoption, legal guardianship, or other lifelong connection to caring adults, including at least one adult who will provide a permanent, parent-like relationship for the child or nonminor dependent. Specialized permanency services are designed for and with the child to address the child's history of trauma, separation, and loss. "Specialized permanency services" may include all of the following:

(A) Medically necessary mental health services, if the medical necessity criteria for Medi-Cal specialty mental health services, as described in Section 1830.205 or 1830.210 of Title 9 of the California Code of Regulations, is met, as needed to ameliorate impairments in significant areas of life functioning that may reduce

1 the likelihood of the child or nonminor dependent achieving a
2 permanent family, and may include other services designed to
3 address the child’s or nonminor dependent’s history of trauma,
4 grief, loss, stigma, and rejection that reduce the likelihood of the
5 child or nonminor dependent achieving a permanent family.

6 (B) Permanency support core services, as appropriate to achieve,
7 stabilize, and sustain the child or nonminor dependent in a
8 permanent family.

9 (C) Services designed to prepare the identified permanent family
10 to meet the child’s or nonminor dependent’s needs, set appropriate
11 expectations before and after permanency is achieved, and stabilize
12 the placement.

13 (b) As used in this chapter, “respite care” means temporary care
14 for periods not to exceed 72 hours, and, in order to preserve the
15 placement, may be extended up to 14 days in any one month
16 pending the development of policies and regulations in consultation
17 with county placing agencies and stakeholders. This care may be
18 provided to the child’s parents or guardians. This care shall not be
19 limited by regulation to care over 24 hours. These services shall
20 not be provided for the purpose of routine, ongoing childcare.

21 (c) The county shall provide child welfare services as needed
22 pursuant to an approved service plan and in accordance with
23 regulations promulgated, in consultation with the counties, by the
24 department. Counties may contract for service-funded activities,
25 as defined in paragraph (1) of subdivision (a). Counties shall not
26 contract for needs assessment, client eligibility determination, or
27 any other activity as specified by regulations of the State
28 Department of Social Services, except as specifically authorized
29 in Section 16100.

30 (d) This chapter shall not be construed to affect duties that are
31 delegated to probation officers pursuant to Sections 601 and 654.

32 (e) A county may utilize volunteer individuals to supplement
33 professional child welfare services by providing ancillary support
34 services in accordance with regulations adopted by the State
35 Department of Social Services.

36 (f) As used in this chapter, emergency response services consist
37 of a response system providing in-person response, 24 hours a day,
38 seven days a week, to reports of abuse, neglect, or exploitation, as
39 required by Article 2.5 (commencing with Section 11164) of
40 Chapter 2 of Title 1 of Part 4 of the Penal Code for the purpose of

1 investigation pursuant to Section 11166 of the Penal Code and to
2 determine the necessity for providing initial intake services and
3 crisis intervention to maintain the child safely in their own home
4 or to protect the safety of the child. County welfare departments
5 shall respond to any report of imminent danger to a child
6 immediately and all other reports within 10 calendar days. An
7 in-person response is not required when the county welfare
8 department, based upon an evaluation of risk, determines that an
9 in-person response is not appropriate. This evaluation includes
10 collateral contacts, a review of previous referrals, and other relevant
11 information, as indicated.

12 (g) As used in this chapter, family maintenance services are
13 activities designed to provide in-home protective services to
14 prevent or remedy neglect, abuse, or exploitation, for the purposes
15 of preventing separation of children from their families.

16 (h) As used in this chapter, family reunification services are
17 activities designed to provide time-limited foster care services to
18 prevent or remedy neglect, abuse, or exploitation, when the child
19 cannot safely remain at home, and needs temporary foster care,
20 while services are provided to reunite the family.

21 (i) (1) As used in this chapter, permanent placement services
22 are activities designed to provide an alternate permanent family
23 structure for children who, because of abuse, neglect, or
24 exploitation, cannot safely remain at home and who are unlikely
25 to ever return home. These services shall be provided on behalf
26 of children for whom there has been a judicial determination of a
27 permanent plan for adoption, legal guardianship, placement with
28 a fit and willing relative, or continued foster care placement, and,
29 as needed, shall include supportive transition services to nonminor
30 dependents, as described in subdivision (v) of Section 11400.

31 (2) For purposes of this section, “another planned permanent
32 living arrangement” means a permanent plan ordered by the court
33 for a child 16 years of age or older or a nonminor dependent, when
34 there is a compelling reason or reasons to determine that it is not
35 in the best interest of the child or nonminor dependent to return
36 home, be placed for adoption, be placed for tribal customary
37 adoption in the case of an Indian child, or be placed with a fit and
38 willing relative. Placement in a group home, or, on and after
39 January 1, 2017, a short-term residential therapeutic program, shall

1 not be the identified permanent plan for any child or nonminor
2 dependent.

3 (j) As used in this chapter, family preservation services include
4 those services specified in Section 16500.5 to avoid or limit
5 out-of-home placement of children, and may include those services
6 specified in that section to place children in the least restrictive
7 environment possible.

8 (k) (1) (A) In any county electing to implement this
9 subdivision, all county welfare department employees who have
10 frequent and routine contact with children shall, by February 1,
11 1997, and all welfare department employees who are expected to
12 have frequent and routine contact with children and who are hired
13 on or after January 1, 1996, and all such employees whose duties
14 change after January 1, 1996, to include frequent and routine
15 contact with children, shall, if the employees provide services to
16 children who are alleged victims of abuse, neglect, or exploitation,
17 sign a declaration under penalty of perjury regarding any prior
18 criminal conviction, and shall provide a set of fingerprints to the
19 county welfare director.

20 (B) The county welfare director shall secure from the
21 Department of Justice a criminal record to determine whether the
22 employee has ever been convicted of a crime other than a minor
23 traffic violation. The Department of Justice shall deliver the
24 criminal record to the county welfare director.

25 (C) If it is found that the employee has been convicted of a
26 crime, other than a minor traffic violation, the county welfare
27 director shall determine whether there is substantial and convincing
28 evidence to support a reasonable belief that the employee is of
29 good character so as to justify frequent and routine contact with
30 children.

31 (D) An exemption shall not be granted pursuant to subparagraph
32 (C) if the person has been convicted of a sex offense against a
33 minor, or has been convicted of an offense specified in Section
34 220, 243.4, 264.1, 273d, 288, or 289 of the Penal Code, or in
35 paragraph (1) of Section 273a of, or subdivision (a) or (b) of
36 Section 368 of, the Penal Code, or has been convicted of an offense
37 specified in subdivision (c) of Section 667.5 of the Penal Code.
38 The county welfare director shall suspend such a person from any
39 duties involving frequent and routine contact with children.

(E) Notwithstanding subparagraph (D), the county welfare director may grant an exemption if the employee or prospective employee, who was convicted of a crime against an individual specified in paragraph (1) or (7) of subdivision (c) of Section 667.5 of the Penal Code, has been rehabilitated as provided in Section 4852.03 of the Penal Code and has maintained the conduct required in Section 4852.05 of the Penal Code for at least 10 years and has the recommendation of the district attorney representing the employee's or prospective employee's county of residence, or if the employee or prospective employee has received a certificate of rehabilitation pursuant to Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code. In that case, the county welfare director may give the employee or prospective employee an opportunity to explain the conviction and shall consider that explanation in the evaluation of the criminal conviction record.

(F) If criminal record information has not been recorded, the county welfare director shall cause a statement of that fact to be included in that person's personnel file.

(2) For purposes of this subdivision, a conviction means a plea or verdict of guilty or a conviction following a plea of nolo contendere. An action that the county welfare director is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, notwithstanding a subsequent order pursuant to Sections 1203.4 and 1203.4a of the Penal Code permitting the person to withdraw their plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment. For purposes of this subdivision, the record of a conviction, or a copy thereof certified by the clerk of the court or by a judge of the court in which the conviction occurred, shall be conclusive evidence of the conviction.

(I) (1) Consistent with Section 675a(c)(1)(D) of Title 42 of the United States Code, "qualified individual" means a trained professional or licensed clinician responsible for conducting the determination described in subdivision (g) of Section 4096 and determining the most effective and appropriate placement for a child. In the case of an Indian child, as defined in Section 224.1,

1 a person may be designated by the child's tribe as the qualified
2 individual pursuant to this subdivision and as defined in subdivision
3 (c) of Section 224.6. In the absence of that designation, the
4 qualified individual shall have specialized knowledge of, training
5 about, or experience with, tribes and the federal Indian Child
6 Welfare Act of 1978 (25 U.S.C. Sec. 1901 et seq.).

7 (2) Except as provided in paragraph (3), the qualified individual
8 shall not be an employee of the IV-E agency and shall not be
9 connected to, or affiliated with, any placement setting in which
10 the IV-E agency places children.

11 (3) (A) The department shall seek approval from the Secretary
12 of the United States Department of Health and Human Services
13 for authorization to permit employees of the IV-E agency or an
14 individual connected to, or affiliated with, a placement setting to
15 serve as the qualified individual who conducts the assessment
16 described in subdivision (g) of Section 4096. A request for approval
17 shall describe the process through which the department may
18 certify that an employee of a Title IV-E agency, or individual
19 connected to or affiliated with a placement setting, and designated
20 as a qualified individual will maintain objectivity in conducting
21 the assessment and determination of the most effective and
22 appropriate placement for a child or nonminor dependent.

23 (B) Any process developed pursuant to subparagraph (A) shall
24 be developed jointly with the State Department of Health Care
25 Services and in consultation with the State Department of
26 Developmental Services, the State Department of Education,
27 county child welfare, probation, and behavioral health agencies,
28 and other interested stakeholders.

29 (C) If approval is granted, the department and the State
30 Department of Health Care services shall issue joint instructions
31 to counties regarding the process for the department to approve a
32 joint request and plan submitted to the department by a county
33 placing agency and behavioral health plan to permit an individual
34 who is an employee of a Title IV-E agency or connected to, or
35 affiliated with, a IV-E placement setting to serve as a qualified
36 individual.

37 (4) Notwithstanding the rulemaking provisions of the
38 Administrative Procedure Act (Chapter 3.5 (commencing with
39 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
40 Code), the department may implement, interpret, or make specific

1 this subdivision by means of all-county letters or similar
2 instructions from the department until regulations are adopted.
3 These all-county letters or similar written instructions shall have
4 the same force and effect as regulations until the adoption of
5 regulations.

6 *SEC. 27. Section 16504 of the Welfare and Institutions Code*
7 *is amended to read:*

8 16504. (a) Any child reported to the county child welfare
9 services department to be endangered by abuse, neglect, or
10 exploitation shall be eligible for initial intake and evaluation of
11 risk services. Each county child welfare services department shall
12 maintain and operate a 24-hour response system. An immediate
13 in-person response shall be made by a county child welfare services
14 department social worker in emergency situations in accordance
15 with regulations of the department. The person making any initial
16 response to a request for child welfare services shall consider
17 providing appropriate social services to maintain the child safely
18 ~~in his or her~~ *their* own home. However, an in-person response is
19 not required when the county child welfare services department,
20 based upon an evaluation of risk, determines that an in-person
21 response is not appropriate. An evaluation of risk includes collateral
22 contacts, a review of previous referrals, and other relevant
23 information.

24 (b) A county child welfare services department social worker
25 shall make an in-person response whenever a referral is received
26 pursuant to Section 11254. Whenever a referral is received pursuant
27 to Section 11254, the county child welfare services department
28 social worker, within 20 calendar days from the receipt of the
29 referral, shall determine whether the physical or emotional health
30 or safety of the individual or child would be jeopardized if the
31 individual and child lived in the same residence with the
32 individual's own parent or legal guardian, or other adult relative.

33 (c) Notwithstanding Article 2.5 (commencing with Section
34 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code, any
35 nonminor dependent, as described in subdivision (v) of Section
36 11403, reported to the county welfare services department to be
37 endangered by abuse, neglect, or exploitation by a licensed or
38 approved caregiver while in a foster care placement shall be eligible
39 for evaluation of risk services, to determine if the placement is
40 safe and appropriate. The county child welfare services department

1 shall cross-report the suspected abuse, neglect, or exploitation by
2 the licensed or approved caregiver to the appropriate licensing or
3 approval agency and, as appropriate, to law enforcement.

4 *(d) Notwithstanding any other law, county child welfare services*
5 *departments do not need to substantiate or have allegations of*
6 *abuse, neglect, or exploitation in order to provide voluntary*
7 *services and stabilization support.*

8 *SEC. 28. Section 16523.1 of the Welfare and Institutions Code*
9 *is amended to read:*

10 16523.1. (a) To the extent funds are appropriated in the annual
11 Budget Act, the department shall award program funds to counties
12 and tribal governments for the purpose of providing housing-related
13 supports to eligible families experiencing homelessness if that
14 homelessness prevents reunification between an eligible family
15 and a child receiving child welfare services, or where lack of
16 housing prevents a parent or guardian from addressing issues that
17 could lead to foster care placement.

18 (b) Notwithstanding subdivision (a), this section does not create
19 an entitlement to housing-related assistance, which is intended to
20 be provided at the discretion of the county or tribe as a service to
21 eligible families.

22 (c) (1) It is the intent of the Legislature that housing-related
23 assistance provided pursuant to this article utilize evidence-based
24 models, including evidence-based practices in rapid rehousing and
25 supportive housing.

26 (2) Housing-related supports available to participating families
27 shall include, but not be limited to, the following:

28 (A) An assessment of each family's housing and service needs,
29 including a plan to assist them in meeting those needs, using an
30 assessment tool developed in the local community or an assessment
31 tool used in other jurisdictions.

32 (B) Housing navigation or search assistance to recruit landlords,
33 and assist families in locating housing affordable to the family.

34 (C) The use of evidence-based models, such as motivational
35 interviewing and trauma-informed care, to build relationships with
36 a parent or guardian.

37 (D) Housing-related financial assistance, including rental
38 assistance, security deposit assistance, utility payments, moving
39 cost assistance, and interim housing assistance while housing

1 navigators are actively seeking permanent housing options for the
2 family.

3 (E) (i) Housing stabilization services, including ongoing tenant
4 engagement, case management, public systems assistance, legal
5 services, credit repair assistance, life skills training, and conflict
6 mediation with landlords and neighbors.

7 (ii) Services provided pursuant to clause (i) shall be provided
8 with input from the family, based on the needs of the family, and
9 in coordination with other services being provided by child welfare
10 services or tribes, family resource centers, family courts, and other
11 services.

12 (F) If the family requires supportive housing, long-term housing
13 through tenant or project-based rental assistance or operating
14 subsidies and services promoting housing stability, subject to
15 available funding pursuant to subdivision (a).

16 (d) The department shall award program funds to county child
17 welfare agencies and tribes according to criteria developed by the
18 department, in consultation with the County Welfare Directors
19 Association of California, the Corporation for Supportive Housing,
20 and Housing California, subject to all of the following
21 requirements:

22 (1) (A) Except as otherwise provided in subparagraph (B), a
23 county or tribe that receives state funds under this program shall
24 match that funding on a dollar-by-dollar basis. The county or tribal
25 funds used for this purpose shall supplement, not supplant, county
26 or tribal funding already intended for these purposes.

27 (B) ~~Between July 1, 2021, and June 30, 2027, Beginning on~~
28 ~~July 1, 2021,~~ a county or tribe that receives state funds under this
29 article shall not be required to match any ~~funding provided during~~
30 ~~that period.~~ *funding.*

31 (2) A county or tribe that receives state funds under this program
32 shall partner with a local homeless continuum of care that
33 participates in a homeless services coordinated entry and
34 assessment system, as required by the United States Department
35 of Housing and Urban Development.

36 (3) A county or tribe that receives state funds under the program
37 shall utilize a cross-agency liaison to coordinate activities under
38 the program with the homeless continuum of care and the county
39 child welfare or tribal agency, including housing-related and child
40 welfare services for families.

(e) The department, in consultation with Housing California, the Corporation for Supportive Housing, and the County Welfare Directors Association of California, shall develop all of the following:

(1) The criteria by which counties and tribal governments may be awarded funds to provide housing-related assistance to eligible families pursuant to this article.

(2) The proportion of program funding to be expended on reasonable and appropriate administrative activities to minimize overhead and maximize services.

(3) Eligible sources of funds for a county's or tribe's matching contribution.

(4) Tracking and reporting procedures for the program.

(5) A process for evaluating program data.

SEC. 29. Section 16544.5 is added to the Welfare and Institutions Code, to read:

16544.5. The California Child Welfare Council shall establish a Mandated Reporting Advisory Committee (MRAC). The MRAC shall include, but not be limited to, representatives of county agencies, labor organizations, community-based organizations, and parents and youth directly impacted by the child welfare system. It is the intent of the Legislature that the MRAC ensure the transformation of mandated reporting to community supporting continues and disparities in the child welfare system are eliminated.

SEC. 30. Section 16560 of the Welfare and Institutions Code is amended to read:

16560. (a) The Legislature finds and declares all of the following:

(1) The Continuum of Care Reform (CCR) was enacted to improve California's child welfare system and its outcomes through, in part, the selection and use of comprehensive initial child assessments.

(2) In 2018, the department selected the Child and Adolescent Needs and Strengths (CANS) assessment tool as the evidence-based, functional assessment tool as part of the implementation of the CCR. Pursuant to Section 16523.55, the requirement under Section 16523.5 for quarterly updates to the Legislature by the department on the implementation of the CCR has included a requirement for status updates on the utilization of the CANS assessment tool.

(3) The Legislature supports the use of a standardized CANS assessment tool completed to fidelity to guide case management and to identify trauma-informed services and supports tailored to meet the individual needs of children in foster care, with the goal of obtaining permanency and stability for every child and nonminor dependent.

(4) The Legislature further supports a trauma-informed approach to using the CANS assessment tool to reduce the number and duplication of assessments of youth.

(b) For purposes of this chapter, the following definitions shall apply:

(1) ~~“Child”~~ *“Child”* means a person, including an Indian child as described in subdivision (a) of Section 224.1, who is under 18 years of age and placed into foster care by a placing agency.

(2) ~~“Integrated”~~ *“Integrated Practice-Child and Adolescent Needs and Strengths”* or ~~“IP-CANS”~~ *“IP-CANS”* shall have the same meaning as the IP-CANS, described in subparagraph (A) of paragraph (1) of subdivision (h) of Section 11461.

(3) *“Nonminor dependent”* has the same meaning as a nonminor dependent in subdivision (v) of Section 11400.

(4) *“Placing agency”* means a county child welfare agency, a county probation department, or an Indian tribe that has entered into an agreement pursuant to Section 10553.1.

~~(c) On and after the date required by paragraph (9) of subdivision (h) of Section 11461, all placing agencies shall ensure completion of IP-CANS assessments for every child and nonminor dependent placed in foster care under the care, custody, and control of the placing agency. In the case of an Indian child, the IP-CANS assessment shall ensure a representative of the child’s tribe is offered an opportunity to provide input.~~

~~(1) The placing agency shall ensure completion of an initial IP-CANS assessment, informed by members of the Child and Family Team, including the child or nonminor dependent, family, and, in the case of an Indian child, the child’s tribe, within sixty (60) days of the child entering foster care as defined in written guidance to be provided by the department, no later than January 1, 2026.~~

~~(2) The placing agency shall ensure completion of a new IP-CANS assessment, informed by members of the Child and Family Team, including the child or nonminor dependent, family,~~

1 and, in the case of an Indian child, the child's tribe, at a minimum,
2 every six months after the initial IP-CANS assessment, and more
3 frequently to address the needs or changing circumstances of the
4 child or nonminor dependent as directed in written guidance to be
5 provided by the department, no later than January 1, 2026.

6 (c) (1) Beginning January 1, 2026, all placing agencies shall
7 ensure completion of IP-CANS assessments for every child and
8 nonminor dependent placed in foster care under the care and
9 supervision of the placing agency, in accordance with the standards
10 and guidelines developed by the department pursuant to subdivision

11 (d). The IP-CANS assessment shall be informed by members of
12 the child and family team, including the child or nonminor
13 dependent, the family of the child or nonminor dependent, and the
14 child's tribe in the case of an Indian child.

15 (2) The placing agency shall ensure completion of an IP-CANS
16 assessment and entry into the statewide child welfare information
17 system for each child or nonminor dependent within 60 days of
18 their entry or reentry into foster care, as defined by the department,
19 or within 30 days in the case of an Indian child.

20 (3) The placing agency shall ensure completion of a new or
21 updated IP-CANS assessment for each child or nonminor
22 dependent at least once every six months after the IP-CANS
23 assessment is completed pursuant to paragraph (2), and more
24 frequently to address the needs or changing circumstances of the
25 child or nonminor dependent as directed by the department.

26 (3)

27 (4) The IP-CANS assessments shall ~~identify~~ determine the
28 child's or nonminor dependent's tier for purposes of the Tiered
29 Rate Structure established in subdivision (h) of Section 11461.

30 (d) (1) The department shall engage with a working group
31 regarding guidelines and standards on the use of the IP-CANS that
32 shall include, but not be limited to, all of the following:

33 (A) Outcome measures, tools, training, coaching, and other
34 supports necessary to ensure the IP-CANS assessments are
35 completed to fidelity.

36 (B) The timing and use of the IP-CANS assessments in
37 determining a child's or nonminor dependent's tier in the Tiered
38 Rate Structure.

39 (C) The conditions that trigger the completion of an updated or
40 new IP-CANS assessment.

(D) The impact of changes in the child's or nonminor dependent's tier as determined by subsequent IP-CANS assessments, including the timing of changes in the components of the Tiered Rate Structure based on changes in the child's or nonminor dependent's tier and exceptions which will apply in order to support placement in a family home.

(2) Not later than January 1, 2025, the department shall issue guidance and instructions for this subdivision to placing agencies regarding implementation by July 1, 2025, of the guidelines and standards developed pursuant to this subdivision.

(e) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this chapter by means of all-county letters or similar written instructions, which shall be exempt from submission to or review by the Office of Administrative Law. These all-county letters or similar instructions shall have the same force and effect as regulations until the adoption of regulations no later than January 1, 2030.

SEC. 31. Section 16562 of the Welfare and Institutions Code is amended to read:

16562. The Legislature finds and declares the following:

(a) (1) A coordinated, timely, and trauma-informed system of care is essential to meet the needs of children and nonminor dependents in foster care who have experienced trauma.

(2) The use of standardized, validated functional assessment tools reveal that some children and nonminor dependents have immediate needs that may become increasingly complex if intervention is delayed or if the need is left unattended.

(3) Investing in the provision of services to children and nonminor dependents in foster care by identifying and addressing immediate needs ensures that even those children and nonminor dependents with the highest level of need can be supported in every setting and, whenever possible, in the home of a relative, nonrelative extended family member or, in the case of an Indian child, an extended family member, as described in Section 224.1.

(4) Child development research establishes that a trauma-informed system of care prioritizes and supports the role of the child's or nonminor dependent's family and community of

1 origin in meeting the needs of the child and nonminor dependent.
2 Research also shows that children and nonminor dependents placed
3 with relatives, or extended family members as defined in Section
4 224.1 in the case of an Indian child, experience better permanency
5 outcomes, higher rates of reunification, lower rates of reentry into
6 foster care, and greater stability while they are in care.

7 (5) Immediate needs should be addressed in a way that is
8 culturally responsive, family centered, and permanency focused,
9 and, for an Indian child, supports engagement with the child's tribe
10 in ensuring the array of integrated services and supports are
11 informed by the prevailing social and cultural conditions and way
12 of life of the Indian child's tribe.

13 (6) Meeting the immediate needs of children and nonminor
14 dependents in foster care using a coordinated, timely, and
15 trauma-informed system of care requires partnerships between
16 caregivers, community-based service providers, and county and
17 tribal placing agencies responsible for providing care and
18 supervision to children and nonminor dependents and supports
19 and services to children, nonminor dependents, and their families.

20 (7) It is therefore the intent of the Legislature in enacting this
21 chapter to identify and address the immediate needs of children
22 and nonminor dependents in foster care, as identified through a
23 standardized validated functional assessment tool informed by the
24 child and family team.

25 (b) The Immediate Needs Program is hereby established.
26 Beginning on the date required by paragraph (9) of subdivision
27 (h) of Section 11461, the Immediate Needs Program shall be
28 available to every child and nonminor dependent in foster care
29 who, upon completion of the IP-CANS, is determined to be in Tier
30 2, Tier 3, or Tier 3+ as part of the Tiered Rate Structure established
31 in subdivision (h) of Section 11461. The Immediate Needs Program
32 shall not apply to nonminor dependents placed in a setting
33 described in subdivision (w) of Section 11400.

34 (c) For purposes of this chapter, the following definitions shall
35 apply:

36 (1) "Immediate Needs Program" means a program that provides
37 an array of integrated services and supports, consistent with
38 guidance established by the department, based on the immediate
39 needs of eligible children who fall into Tier 2, Tier 3, or Tier 3+
40 of the Tiered Rate Structure established in subdivision (h) of

1 Section 11461 and identified through the use of *as determined by*
2 the IP-CANS assessment tool. For an Indian child, the program
3 shall support engagement with the child's tribe by ensuring that
4 the array of integrated services and supports provided shall be
5 informed by prevailing social and cultural conditions and way of
6 life of the Indian child's tribe and shall be provided consistent with
7 active efforts as described in subdivision (f) of Section 224.1.

8 (2) "Immediate needs" means the circumstances identified by
9 the child's or nonminor dependent's IP-CANS assessment that
10 interfere with the child's or nonminor dependent's age and
11 developmentally-appropriate behavioral or emotional functioning
12 or otherwise currently impact the child or nonminor dependent
13 that can be treated or addressed through the provision of services
14 and supports.

15 (3) "Immediate Needs Funding" means the amount of funding
16 available as a component of the Tiered Rate Structure established
17 in subparagraph (C) of paragraph (2) of subdivision (h) of Section
18 11461, and set forth in subparagraph ~~(B)~~ (A) of paragraph (1) of
19 subdivision (d), based on the child's or nonminor dependent's tier,
20 as determined by the IP-CANS assessment. The Immediate Needs
21 Funding shall not be used to supplant existing state or county funds
22 utilized for the provision of Medi-Cal services, except as provided
23 in in subdivision (h), subject to clause (iii) of subparagraph (C) of
24 paragraph (1) of that subdivision.

25 (4) "Immediate Needs Program Plan" means the plan that
26 includes all the requirements of subparagraph (B) of paragraph (2)
27 of subdivision (d) and is submitted to the department for approval.

28 (5) "Immediate needs provider" means a placing agency, or a
29 provider with whom the placing agency or the department ~~contracts~~
30 *selects* to provide immediate needs services and supports.
31 Immediate needs providers shall be certified by the department to
32 provide services and supports consistent with the standards of care
33 framework adopted pursuant to subdivision (e). For an Indian
34 child, the immediate needs provider shall have specialized
35 knowledge of, training about, or experience with, tribes and the
36 federal Indian Child Welfare Act of 1978 (25 U.S.C. Sec. 1901 et
37 seq.).

38 (d) The purpose of the Immediate Needs Program is to provide
39 an array of integrated services and supports tailored to meet the
40 immediate needs of a child or nonminor dependent as identified

1 by their IP-CANS as efficiently and effectively as reasonably
2 possible. Under the Immediate Needs Program:

3 ~~(1) (A) Each placing agency shall be provided funding to~~
4 ~~support the Immediate Needs Program. The department shall utilize~~
5 ~~a reconciliation process to adjust biannual funding as needed to~~
6 ~~ensure the placing agency has sufficient funding to provide for the~~
7 ~~immediate needs of each eligible child or nonminor dependent.~~

8 (B)

9 (1) (A) Immediate Needs Funding shall be available per child
10 per month for each eligible child or nonminor dependent described
11 in subdivision (b) based on the child's or nonminor dependent's
12 tier, as determined by the results of the child's or nonminor
13 dependent's IP-CANS assessment, according to the following
14 tiered rate schedule:

15 Tier 1: \$0

16 Tier 2: \$1000

17 Tier 3: \$1500 [Ages 0-5]

18 Tier 3+: \$4100 [Ages 6+]

19 (B) *To administer the Immediate Needs Program, each placing*
20 *agency shall be provided funding consisting of the total amount*
21 *of Immediate Needs Funding for all eligible children and nonminor*
22 *dependents in Tiers 2, 3, and 3+, as set forth in subparagraph (A),*
23 *who are under the placing agency's care and supervision. The*
24 *methodology shall be developed by the department, in consultation*
25 *with the County Welfare Directors Association of California and*
26 *the Chief Probation Officers of California.*

27 (C) Beginning on the date required by paragraph (9) of
28 subdivision (h) of Section 11461, for new entries into foster care,
29 and for all other children and nonminor dependents in foster care
30 placements on July 1, 2027, including children and nonminor
31 dependents placed in a setting described in subdivision (d) of
32 Section 11402, the Immediate Needs Funding shall be available
33 for each eligible child or nonminor dependent described in
34 subdivision (b), consistent with the child's or nonminor
35 dependent's tier, as determined by the IP-CANS assessment,
36 pursuant to a schedule to be determined by the department.

37 (2) Placing agencies shall do all of the following:

38 (A) Provide for the immediate needs of children and nonminor
39 dependents in Tier 2, Tier 3, and Tier 3+ as ~~identified~~ *determined*
40 by the IP-CANS using the ~~immediate needs allocation~~ *Immediate*

1 *Needs Funding* set forth in subparagraph ~~(B)~~ (A) of paragraph ~~(1)~~
2 ~~of subdivision (d)~~. (1). A description of the immediate needs and
3 how the funding will be used to meet the immediate needs shall
4 be included in the child's or nonminor dependent's case plan.

5 (B) Ensure the caregiver of a home-based setting, including,
6 but not limited to, a tribally approved home, has relevant,
7 specialized training necessary for the purpose of preparing the
8 family to meet the needs of an individual child or nonminor
9 dependent in Tier 2, Tier 3, or Tier 3+ who is or will be placed in
10 the home. Immediate Needs Funding may be used for this purpose
11 but shall not supplant existing funding for training caregivers.

12 (C) When appropriate based on the IP-CANS assessment, the
13 Immediate Needs Funding may be used for the child or nonminor
14 dependent in a manner that supports reunification efforts. The
15 Immediate Needs Funding shall not supplant existing funding used
16 by placing agencies to provide reunification services.

17 (D) Ensure the caregiver has the capability, willingness, and
18 ability to meet the specific immediate needs of the child or
19 nonminor dependent placed in the home, including by assessing
20 the risk and compatibility of placing the child or nonminor
21 dependent with any other children or nonminor dependents in the
22 home and the ability of the caregiver to provide care and support
23 for all the children or nonminor dependents in the home consistent
24 with guidance to be issued by the department.

25 (E) In consultation with the local interagency leadership team
26 established pursuant to Section 16521.6, which shall include the
27 engagement and coordination of federally recognized tribes, the
28 placing agency and the mental health plan shall submit to the
29 department an Immediate Needs Program plan for approval that
30 includes all of the following:

31 (i) How the placing agency will use the Immediate Needs
32 Funding in a manner that provides, arranges for, or ensures the
33 provision of, an array of immediate needs services and supports
34 for individual children and nonminor dependents who are
35 determined to be in Tier 2, Tier 3, or Tier 3+ of the Tiered Rate
36 Structure, and, for an Indian child, how the services and supports
37 will be conducted in a manner consistent with the prevailing social
38 and cultural conditions and way of life of the Indian child's tribe
39 and provided consistent with active efforts, as described in
40 subdivision (f) of Section 224.1.

1 (ii) How the placing agency will ensure the services provided
2 pursuant to the Immediate Needs Program plan or, alternatively,
3 any immediate needs providers with whom the placing agency
4 ~~contracts~~, *selects*, will meet the standards of care framework
5 established by the department in the guidelines provided under
6 paragraph (2) of subdivision (e).

7 (iii) How the placing agency will ensure an adequate supply of
8 certified immediate needs providers for children and nonminor
9 dependents in the Immediate Needs Program, including an adequate
10 supply of certified immediate needs provider for Indian children
11 in the program who have specialized knowledge of, training in, or
12 experience with, tribes and the federal Indian Child Welfare Act
13 of 1978 (25 U.S.C. Sec. 1901 et seq.).

14 (iv) An agreement by the placing agency to provide data
15 requested by the department related to children and nonminor
16 dependents in foster care in Tier 2, Tier 3, and Tier 3+, as
17 determined by the IP-CANS assessments.

18 (F) Become a certified immediate needs provider if the placing
19 agency opts to directly provide for the immediate needs of children
20 and nonminor dependents placed into foster care by using the
21 Immediate Needs Funding.

22 (G) Use only immediate needs providers certified by the
23 department, using ~~contracts~~ *agreements* that are consistent with
24 model contracts developed by the department.

25 (H) For a short-term therapeutic residential program or
26 community treatment facility certified by the department as an
27 immediate needs provider, ~~contract with~~ *select* the short-term
28 residential therapeutic residential program or the community
29 treatment facility where a child or nonminor dependent in the
30 Immediate Needs Program is placed, unless the placing agency
31 determines it is in the best interest of the child or nonminor
32 dependent to receive services and supports from another certified
33 immediate needs provider.

34 (I) For a foster family agency certified by the department as an
35 ~~Immediate Needs Provider, contract with~~ *immediate needs*
36 *provider, select* the foster family agency with which a child or
37 nonminor dependent in the Immediate Needs Program is placed,
38 unless the placing agency determines it is in the best interest of
39 the child or nonminor dependent to receive services and supports

1 from another certified ~~Immediate Needs Provider~~. *immediate needs*
2 *provider*.

3 (J) Facilitate the child and family team to obtain input on the
4 development of an Immediate Needs Plan and incorporate the
5 Immediate Needs Plan as part of the child's or nonminor
6 dependent's case plan, as applicable, and the state's child welfare
7 information system.

8 (K) Submit data and outcome measures regarding the Immediate
9 Needs Program to the department in periodic reports, on a schedule
10 determined by the department.

11 (e) The department shall be responsible for all of the following:

12 (1) Oversight of the placing agencies in administering the
13 Immediate Needs Program, including the placing agency's use of
14 the placing agency funding for the program, the Immediate Needs
15 Funding, and the progress and success of the program in meeting
16 the immediate needs of children in foster care.

17 (2) Development of a standards of care framework for the
18 Immediate Needs Program developed in consultation with persons
19 and entities described in subdivision (f), that immediate needs
20 providers shall be subject to regarding the services and supports
21 to be provided to meet a child's or nonminor dependent's
22 immediate needs as identified in the IP-CANS assessment for each
23 child or nonminor dependent who falls into Tiers 2, Tier 3, or Tier
24 3+.

25 (3) Development of a process by which an immediate needs
26 provider shall be certified by the department to provide services
27 consistent with the standards of care framework developed pursuant
28 to paragraph (2). The certification for immediate needs providers
29 for Indian children shall include requirements, developed through
30 consultation with tribes, for specialized knowledge of, training
31 about, or experience with, tribes and the federal Indian Child
32 Welfare Act of 1978 (25 U.S.C. Sec. 1901 et seq.).

33 (4) Provision of technical assistance to support placing agencies
34 in developing and maintaining an adequate array of certified
35 immediate needs providers.

36 (5) Development of model contracts that align with the standards
37 of care framework and with which all placing agency ~~contracts~~
38 *agreements* with immediate needs providers shall be consistent.

39 (6) Development of written guidance and technical support for
40 placing agencies to support both of the following:

1 (A) Regional—~~contracts~~ *agreements* with immediate needs
2 providers to ensure an adequate supply of providers who are
3 certified and able to meet the standards of care framework.

4 (B) Agreements between placing agencies to administer the
5 Immediate Needs Program, or for building a consortium of placing
6 agencies to jointly administer the Immediate Needs Program.

7 (7) Development of informational materials for placing agencies
8 to provide to children, nonminor dependents, families, and
9 caregivers, about the Immediate Needs Program. Information shall
10 be provided in plain language, in alternative formats and alternative
11 modes of communication and provide language access as required
12 by state and federal law.

13 (8) Workforce development, training, and curriculum
14 requirements on the Immediate Needs Program, including the
15 standards of care framework and model contracting.

16 (9) Development of guidelines and training on funding resources
17 and claiming by placing agencies and immediate needs providers,
18 including, but not limited to, controls and documentation to
19 determine when federal financial participation may be available
20 if all state and federal requirements are met.

21 (10) Development of policies and procedures for statewide
22 collection of data and outcome measures, including requirements
23 for the placing agencies and immediate needs providers to submit
24 needed data and reports.

25 (11) Development of guidelines describing the conditions, and
26 the process and procedure, under which the department will need
27 to enter into contracts regarding the Immediate Needs Program.

28 (12) Development, in collaboration with the State Department
29 of Health Care Services and other entities specified in subdivision
30 (f), of guidance on the implementation of the Immediate Needs
31 Program, including, but not limited to, guidance on implementation
32 of high-fidelity wraparound services. This guidance shall also
33 address reducing administrative and programmatic burdens and
34 duplication and promote consistent procedures statewide.

35 (f) The department, in consultation with the State Department
36 of Health Care Services, County Behavioral Health Directors
37 Association of California, County Welfare Directors Association
38 of California, Chief Probation Officers of California, tribes, child
39 welfare advocates, providers, current or former foster children,
40 nonminor dependents, parents, caregivers, and other interested

1 parties, shall establish statewide minimum standards for the
2 Immediate Needs Program and for immediate needs providers of
3 services and supports, and shall issue guidance necessary to
4 implement this section. The process for development of the
5 standards of care framework relating to Indian children shall
6 include consultation with federally recognized tribes.

7 (g) The department shall consult with an Indian tribe, consortium
8 of tribes, or tribal organization that has entered into an agreement
9 with the state pursuant to Section 10553.1 for the purpose of the
10 implementation of this section by the Indian tribe, consortium of
11 tribes, or tribal organization.

12 (h) (1) (A) The State Department of Health Care Services shall
13 implement a case rate or other type of reimbursement for
14 high-fidelity wraparound services, which is a Medi-Cal specialty
15 mental health service for members under 21 years of age, and seek
16 any necessary federal Medicaid approvals. This paragraph shall
17 be implemented only if, and to the extent that, federal financial
18 participation under Title XIX of the federal Social Security Act
19 (42 U.S.C. 1396 et seq.) is available and all necessary federal
20 approvals have been obtained.

21 (B) All children and nonminor dependents in foster care who
22 meet the criteria to participate in the Immediate Needs Program
23 specified in subdivision (b) and are under 21 years of age are
24 eligible to receive high-fidelity wraparound services, consistent
25 with state and federal Medicaid policies, as a component of the
26 Immediate Needs Program. Placing agencies and mental health
27 plans shall coordinate referrals for high-fidelity wraparound
28 services and mental health plans shall provide or arrange for the
29 provision of these services consistent with the terms of their
30 Medi-Cal contracts.

31 (C) (i) Upon the Immediate Needs Program taking effect
32 pursuant to subdivision (b), a portion of the Immediate Needs
33 Funding shall be used as the non-federal share of Medi-Cal covered
34 high-fidelity wraparound services provided to children and
35 nonminor dependents in foster care who meet the criteria to
36 participate in the Immediate Needs Program specified in
37 subdivision (b), consistent with guidance provided by the
38 departments.

39 (ii) Counties may use additional or other allowable sources of
40 funds towards the nonfederal share of Medi-Cal covered

1 high-fidelity wraparound services if Immediate Needs Funds are
2 insufficient.

3 (iii) State and county sources of funds that were not expended
4 because Immediate Needs Funds were used for the nonfederal
5 share of Medi-Cal covered high-fidelity wraparound services
6 should be used for services to children and nonminor dependents
7 in foster care who meet the criteria to participate in the Immediate
8 Needs Program.

9 (D) This paragraph does not relieve mental health plans of the
10 obligation to provide all medically necessary specialty mental
11 health services.

12 (2) Federal financial participation under the Medi-Cal program
13 shall only be available for services and supports provided under
14 the Immediate Needs Program if all state and federal requirements
15 are met and the service is medically necessary.

16 (A) The State Department of Health Care Services may issue
17 guidance on the conditions under which federal financial
18 participation is available for Medi-Cal services that intersect with
19 the implementation of this section.

20 (B) Medi-Cal services shall only be claimed to the extent
21 medical assistance federal financial participation is available and
22 is not otherwise jeopardized.

23 (3) Notwithstanding Chapter 3.5 (commencing with Section
24 11340) of Part 1 of Division 3 of Title 2 of the Government Code,
25 the State Department of Health Care Services may implement,
26 interpret, or make specific this section concerning the provision
27 of Medi-Cal services by means of plan or all-county letters,
28 information notices, plan or provider bulletins, or other similar
29 instructions, without taking any further regulatory action.

30 (i) (1) The department has authority to receive the Immediate
31 Needs Funding on behalf of the placing agency and use the funding
32 to award contracts for the purpose of implementing and maintaining
33 the Immediate Needs Program under either of the following
34 circumstances:

35 (A) Pursuant to a voluntary agreement reached between the
36 department and a placing agency.

37 (B) If the department, pursuant to the conditions, policies, and
38 procedures established under paragraph (11) of subdivision (e),
39 determines a placing agency has failed to adequately administer
40 the Immediate Needs Program or meet the immediate needs of

1 children or nonminor dependents for whom it is responsible based
2 on the standard of care framework established in paragraph (2) of
3 subdivision (e).

4 (2) Notwithstanding any other law, contracts awarded by the
5 department for purposes of this section shall be exempt from the
6 personal services contracting requirements of Article 4
7 (commencing with Section 19130) of Chapter 5 of Part 2 of
8 Division 5 of Title 2 of the Government Code.

9 (3) Notwithstanding any other law, contracts awarded by the
10 department for purposes of this section shall be exempt from the
11 Public Contract Code and the State Contracting Manual and shall
12 not be subject to the review or approval of the Department of
13 General Services or the Department of Technology.

14 (j) Placing agencies shall have authority to enter into voluntary
15 agreements with other placing agencies to administer their
16 Immediate Needs Program, and to form a consortium of placing
17 agencies to jointly administer the Immediate Needs Program,
18 provided there is compliance with the written guidance and
19 technical support provided by the department pursuant to
20 paragraphs (6) and (7) of subdivision (e).

21 *SEC. 32. Section 16587 of the Welfare and Institutions Code*
22 *is amended to read:*

23 16587. (a) A county may elect to provide the prevention
24 services under this chapter by providing a written plan to the State
25 Department of Social Services, in accordance with instructions
26 issued by the department. *The written plan, when being updated*
27 *by the county on or after January 1, 2027, shall include the*
28 *county's plans to provide information for mandated reporters*
29 *regarding the resources available to support families in their*
30 *communities.* A county shall promptly notify the department of
31 any changes to the written plan, including, but not limited to, an
32 elimination or reduction of services. During the first year of
33 implementation, a county may elect to provide the prevention
34 services under this chapter by providing a written notice to the
35 department while the county continues to develop its written plan.
36 The county shall consult with other relevant county agencies that
37 serve families and children, Indian tribes, local community
38 representatives, caseworkers, and individuals and families with
39 lived experience with the child welfare system in the development
40 and ongoing implementation of the plan.

1 (b) The department shall consult with Indian tribes on the
2 development of the statewide prevention plan, associated allocation
3 policies, and procedures for an Indian tribe, consortium of tribes,
4 or tribal organization that has entered into an agreement with the
5 state pursuant to Section 10553.1 to elect to provide the prevention
6 services under this chapter.

7 (c) (1) A county or Indian tribe, consortium of tribes, or tribal
8 organization that has entered into an agreement with the state
9 pursuant to Section 10553.1 that elects to provide prevention
10 services under this chapter may provide those services for all of
11 the following:

12 (A) A child who is a candidate for foster-care care.

13 (B) A child or nonminor dependent in foster care who is a
14 pregnant or parenting foster youth.

15 (C) The parents or kin caregivers of a child described in this
16 paragraph.

17 (2) (A) Prevention services under this chapter may be provided
18 for a period of up to 12 months.

19 (B) Prevention services under this chapter may be provided for
20 additional 12-month periods, including contiguous 12-month
21 periods, on a case-by-case basis, when a county or tribal
22 caseworker determines and documents in the candidate for foster
23 care or pregnant or parenting foster youth's prevention plan that
24 they continue to meet the requirements to receive prevention
25 services as a candidate for foster care, or pregnant or parenting
26 foster youth.

27 (C) Nothing in this subdivision shall be construed to alter or
28 limit the time period for services provided under the Medi-Cal
29 program to a Medi-Cal beneficiary, which shall be based on
30 medical necessity.

31 (3) When a county knows or has reason to know a child is an
32 Indian child, as defined in Section 224.1, the county shall provide
33 prevention services under this chapter in a manner consistent with
34 active efforts, as described in subdivision (f) of Section 224.1.

35 (d) A Title IV-E agency that elects to provide the prevention
36 services under this chapter shall be responsible for:

37 (1) (A) Determining whether a child is a candidate for foster
38 care and eligible for prevention services based upon an in-person
39 assessment, or an alternative assessment methodology approved
40 by the State Department of Social Services.

1 (B) Identifying whether a child or nonminor dependent in foster
2 care is a pregnant or parenting foster youth who will receive
3 prevention services. A candidacy assessment and determination
4 are not required for a pregnant or parenting foster youth to receive
5 prevention services.

6 (2) Documenting the determination described in ~~subparagraph~~
7 *paragraph* (1) in the child or youth's prevention plan.

8 (3) Inquiring whether a child who is being assessed as a
9 candidate for foster care and for prevention services under this
10 chapter is or may be an Indian child in accordance with Section
11 224.2. When the county knows or has reason to know the child is
12 an Indian child, as defined in Section 224.1, the county shall
13 provide written notification to the tribe inviting the child's tribe
14 to partner with the county agency in the initial and ongoing
15 assessments of the child and family and the development and
16 implementation of the written prevention plan.

17 (4) (A) Developing and implementing a written prevention plan
18 for the child or youth using a model approved by the department.

19 (B) In the case of a child who is a candidate for foster care, the
20 prevention plan shall identify the foster care prevention strategy
21 for the child and list the services or programs to be provided to,
22 or on behalf of, the child, including the services or programs to be
23 provided to the child's parent or kin caregiver.

24 (C) In the case of a pregnant or parenting foster youth, the
25 prevention plan shall list the services or programs to be provided
26 to, or on behalf of, the youth to meet their individual needs,
27 strengthen their ability to parent, describe the parenting support
28 strategy to promote the health and development of, and prevent
29 foster care for, any child born to the youth, and be included in the
30 youth's existing case plan.

31 (D) In the case of an Indian child, the development and
32 implementation of the written prevention plan shall be in
33 partnership with the Indian child's tribe.

34 (5) Documenting all prevention services cases under this chapter
35 in accordance with instructions issued by the department to county
36 Title IV-E agencies.

37 (6) Ensuring that prevention services are provided using a
38 trauma-informed approach, including an approach informed by
39 historical and multigenerational trauma.

1 (7) Monitoring the safety of a candidate for foster care or
2 pregnant or parenting foster youth receiving prevention services
3 under this chapter, which shall include in-person contact with the
4 child or youth by the caseworker to ensure the child's or youth's
5 ongoing safety, as specified in the written prevention plan.

6 (8) Conducting periodic risk assessments for the child or youth
7 while prevention services are being provided. The caseworker
8 shall reexamine the prevention plan if they determine the risk of
9 the child or youth entering foster care remains high despite the
10 provision of prevention services. In the case of an Indian child,
11 the assessments and any reexamination of the prevention plan shall
12 be conducted in partnership with the Indian child's tribe.

13 (9) Collecting and reporting any information or data necessary
14 to the department for federal financial participation, federal
15 reporting, or evaluation of the services provided, including, but
16 not limited to, child-specific information and expenditure data.

17 (10) Continuously monitoring the implementation and provision
18 of services provided under this chapter to ensure fidelity to the
19 practice model, determine outcomes achieved, and determine how
20 information learned from monitoring will be used to refine and
21 improve practices, using a continuous quality improvement
22 framework developed in accordance with instructions issued by
23 the department to county Title IV-E agencies. Outcomes achieved
24 shall include, but are not limited to, measures examining the
25 equitable implementation and provision of services, as well as
26 equitable distribution of outcomes.

27 (11) (A) Conducting or contracting for a well-designed and
28 rigorous evaluation of each prevention service provided under this
29 chapter, as coordinated by the department and in accordance with
30 instructions issued by the department to county Title IV-E agencies.
31 An evaluation shall examine the effectiveness of each service in
32 improving outcomes for children and families across diverse groups
33 receiving each service. The department shall consult with the State
34 Department of Health Care Services on any instructions to counties
35 that involve an evaluation of a prevention service that is paid for
36 by Medi-Cal.

37 (B) This paragraph shall not apply to a prevention service for
38 which the state has received a federal waiver of the evaluation
39 requirements pursuant to Section 471(e)(5) of the federal Social
40 Security Act (42 U.S.C. Sec. 671(e)(5)).

1 (C) Subject to the availability of state or other funds, the
2 department may conduct or contract for a well-designed and
3 rigorous evaluation of a prevention service as described in
4 subparagraph (A). A Title IV-E agency's participation in an
5 evaluation of a prevention service by the department shall satisfy
6 the agency's responsibility under this paragraph.

7 (e) A Title IV-E agency may contract with another agency or
8 community-based organization to perform the activities described
9 in paragraphs (4) through (8), inclusive, of subdivision (d) in
10 accordance with guidelines and instructions issued by the
11 department. The county shall be responsible for supervising and
12 ensuring appropriate performance of these activities. A county
13 may work with one or more other counties utilizing the same
14 prevention service to conduct a joint evaluation that meets the
15 requirements of this section.

16 (f) A parent, caregiver, child, or youth's nonparticipation in or
17 noncompletion of offered prevention services, in and of itself, shall
18 not be prima facie evidence that the child comes within Section
19 300 or prima facie evidence of substantial danger.

20 *SEC. 33. Section 18901.58 of the Welfare and Institutions Code*
21 *is amended to read:*

22 18901.58. (a) (1) On or before July 1, ~~2025~~, 2026, the
23 department, in consultation with advocate representatives, county
24 human service agencies, and the County Welfare Directors
25 Association of California, shall develop a methodology for
26 estimating the CalFresh participation rate and identifying
27 characteristics of Californians who are eligible for, but not
28 receiving, CalFresh benefits.

29 (2) Identified characteristics may include, but are not limited
30 to, race, ethnicity, preferred language, age, and location.

31 (3) The department shall identify any existing public assistance
32 or public benefit data that may be used to identify Californians
33 who are eligible for, but not receiving, CalFresh benefits.

34 (4) The department shall annually publish the CalFresh
35 participation rate.

36 (b) The department shall utilize the data and metrics described
37 in subdivision (a) to develop informed and targeted outreach
38 strategies and to maximize federal funding for CalFresh outreach
39 to reach Californians who are eligible for CalFresh benefits.

1 (c) On or before July 1, 2027, the department, in consultation
2 with advocate representatives, county human service agencies,
3 and the County Welfare Directors Association of California, shall
4 develop a strategic plan for how the department's methodology
5 and outreach strategies may be implemented and executed to
6 maximize benefits to those eligible for CalFresh benefits.

7 (e)

8 (d) The department shall designate an executive-level employee
9 of the department who shall report to the Director of Social
10 Services on the implementation of the provisions of this section
11 and Section 18901.59.

12 SEC. 34. Section 18950.1 is added to the Welfare and
13 Institutions Code, to read:

14 18950.1. (a) The Legislature finds and declares all of the
15 following:

16 (1) Current mandatory reporting laws have resulted in a
17 significant increase in the number of reports made with no
18 corresponding evidence that children are safer.

19 (2) The harm and trauma of unnecessary reporting falls
20 disproportionately on Black/African American and Native
21 American/Indigenous children and families.

22 (3) Therefore, to eliminate the disproportionate surveillance
23 and reporting of Black/African American, Native
24 American/Indigenous, and Latino families and communities,
25 thereby leading to an environment of antiracism in support of all
26 children and families, it is the intent of the Legislature that training
27 be fully implemented regarding the definition of general neglect,
28 as defined in Section 11165.2 of the Penal Code, and that
29 investigations of general neglect by child welfare agencies as
30 referred by mandated reporters emphasize community-based
31 supports and family preservation services to reduce disparities
32 and disproportionality in the child welfare system.

33 (4) It is the intent of the Legislature to enact legislation to clarify
34 statutes to allow for the sharing of information across agencies
35 through a multidisciplinary team approach to serve children and
36 families to prevent foster care entry.

37 (b) The department, through the State Office of Child Abuse
38 Prevention, with participation of individuals with lived expertise,
39 county child welfare agencies, and other stakeholders, shall, by
40 no later than July 1, 2027, develop a standardized curriculum for

1 mandated reporters. The curriculum shall reflect the intent of the
2 Legislature in subdivision (a) and shall include, but not be limited
3 to, all of the following:

4 (1) History of mandated reporting laws, including the impact
5 of structural racism resulting in a disproportionate number of
6 Black and Indigenous families involved in the child welfare services
7 system.

8 (2) The Federal Child Abuse Prevention and Treatment Act.

9 (3) California's Child Abuse and Neglect Reporting Act in
10 Article 2.5 (commencing with Section 11164) of Chapter 2 of Title
11 1 of Part 4 of the Penal Code.

12 (4) The federal Indian Child Welfare Act of 1978 (25 U.S.C.
13 Sec. 1901 et seq.).

14 (5) Best practice for defining "reasonable suspicion" and
15 "substantial risk."

16 (6) Differences between "severe neglect" and "general neglect"
17 as defined in Section 11165.2 of the Penal Code.

18 (7) California child abuse, neglect, and disproportionality data.

19 (8) Definitions of "bias," including "implicit," and "explicit,"
20 bias, and "trauma," the impact of bias and trauma on families
21 and children, and strategies for recognizing and mitigating their
22 impact.

23 (9) The impact on families of making a child abuse or neglect
24 report to child protective services.

25 (10) Considerations for special populations, including
26 individuals with disabilities, behavioral health, domestic violence,
27 and substance use concerns, as well as the unique factors involved
28 in supporting children 0 to 5 years of age.

29 (11) Decisionmaking processes and tools for mandated
30 reporters, including case examples of general neglect and severe
31 neglect as those terms are defined in Section 11165.2 of the Penal
32 Code.

33 (12) Education and information on community resources,
34 community-based organizations, and other government agencies
35 that can provide support to families in need, including information
36 about basic aid programs like the CalWORKs, Medi-Cal and
37 CalFresh programs.

38 (c) (1) The department shall make the training described in
39 this section available on an internet website.

1 (2) The department may contract for the development,
2 maintenance, and online hosting of the training described in this
3 section.

4 (3) The department may charge an appropriate fee to offset the
5 cost of generating individual completion certificates for the training
6 described in this section and maintaining a verification system for
7 such certificates. This paragraph shall not apply to any other child
8 abuse mandated reporter training the department is otherwise
9 required by law to provide free of cost, including the child abuse
10 mandated reporter training described in Section 1596.8662 of the
11 Health and Safety Code.

12 (4) Notwithstanding any other law, contracts entered into or
13 amended by the department for purposes of this section, including,
14 but not limited to, developing and providing mandated reporter
15 training and education, improving mandated reporter policies,
16 practices, and public awareness, and strengthening pathways to
17 community supports, shall be exempt from Chapter 6 (commencing
18 with Section 14825) of Part 5.5 of Division 3 of Title 2 of the
19 Government Code, the personal services contracting requirements
20 of Article 4 (commencing with Section 19130) of Chapter 5 of Part
21 2 of Division 5 of Title 2 of the Government Code, the Public
22 Contract Code, and the State Contracting Manual, and shall not
23 be subject to the review or approval of any division of the
24 Department of General Services.

25 (d) (1) Except as provided in paragraph (2), an employer having
26 one or more mandated reporters, as described in subdivision (a)
27 of Section 11165.7 of the Penal Code, shall strongly encourage
28 completion of training by their mandated reporters using the
29 curriculum set forth in subdivision (b) within the first three months
30 of their employment, or on or before March 1, 2030, whichever is
31 later.

32 (2) The training under this subdivision shall not apply to either
33 of the following:

34 (A) A volunteer whose duties require direct contact with and
35 supervision of children, as described in subdivision (g) of Section
36 11165.7 of the Penal Code.

37 (B) A mandated reporter listed in Section 11165.7 of the Penal
38 Code who is otherwise required by law to receive training in child
39 abuse and neglect identification and reporting.

1 (e) For the purposes of this chapter, “California child abuse,
2 neglect, and disproportionality data” means data documented by
3 the California Child Welfare Indicators Project.

4 SEC. 35. Section 18999.4 of the Welfare and Institutions Code
5 is amended to read:

6 18999.4. (a) (1) Pursuant to Section 18999.1, a grantee shall
7 offer housing assistance to individuals described in subdivision
8 (b) of Section 18999.2 and shall use funds received under this
9 program to establish or expand programs that provide housing
10 assistance, including interim housing, recuperative care, rental
11 subsidies, or, only when necessary, shelters, for clients receiving
12 services under Section 18999.2 during the clients’ application
13 periods for disability benefits programs described in that section.
14 The grantee shall make a reasonable effort to place a client who
15 receives subsidies in housing that the client can sustain without a
16 subsidy upon approval of disability benefits, or consider providing
17 limited housing assistance until an alternative subsidy, affordable
18 housing voucher, or other sustainable housing option is secured.
19 Upon approval or denial of disability benefits, where needed, case
20 management staff shall assist in developing a transition plan for
21 housing support.

22 (2) A client’s participation in housing assistance programs or
23 services is voluntary.

24 (b) To the extent authorized under federal law, a grantee, with
25 the assistance of the department, shall seek reimbursement of funds
26 used for housing assistance, general assistance, or general relief
27 from the federal Commissioner of Social Security pursuant to an
28 interim assistance reimbursement agreement authorized by Section
29 1631(g) of the federal Social Security Act, and shall expend funds
30 received as reimbursement for housing assistance only on
31 additional housing assistance for clients receiving services under
32 this chapter.

33 ~~(c) The requirement to seek reimbursement of funds pursuant~~
34 ~~to subdivision (b) is waived through June 30, 2026.~~

35 (c) Beginning on July 1, 2025, the requirement to seek
36 reimbursement of funds pursuant to subdivision (b) is waived.

37 SEC. 36. Section 57 of Chapter 86 of the Statutes of 2021 is
38 amended to read:

39 Sec. 57. (a) The State Department of Social Services shall
40 adopt regulations necessary to implement this act.

1 (b) Notwithstanding the rulemaking provisions of the
 2 Administrative Procedure Act (Chapter 3.5 (commencing with
 3 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
 4 Code), the State Department of Social Services may implement,
 5 interpret, or make specific the changes made by ~~this act~~ *Chapter*
 6 *86 of the Statutes of 2021* to Sections 1502 and 1562.01 of the
 7 Health and Safety Code, and to Sections 319, 319.3, 358.1, 361.2,
 8 366, 366.1, 366.3, 366.31, 636, 706.5, 727.2, 4096, 4096.5, 4648,
 9 11461.3, 11462.01, 16010.7, 16501, 16501.1, and 16521.6 of the
 10 Welfare and Institutions Code, and to implement, interpret, or
 11 make specific Sections 361.22, 727.12, 4096.55, 4096.6,
 12 11402.005, and Chapter 7 (commencing with Section 16585) of
 13 Part 4 of Division 9 of the Welfare and Institutions Code, by means
 14 of all-county letters or similar instructions from the department
 15 until regulations are adopted. These all-county letters or similar
 16 written instructions shall have the same force and effect as
 17 regulations until the adoption of regulations no later than ~~July 1,~~
 18 ~~2024.~~ *January 1, 2030.*

19 (c) Notwithstanding Chapter 3.5 (commencing with Section
 20 11340) of Part 1 of Division 3 of Title 2 of the Government Code,
 21 the State Department of Health Care Services, in consultation with
 22 the State Department of Social Services, may implement, interpret,
 23 or make specific the changes made by ~~this act~~ *Chapter 86 of the*
 24 *Statutes of 2021* to Sections 1502 and 1562.01 of the Health and
 25 Safety Code, and to Sections 319, 319.3, 358.1, 361.2, 366, 366.1,
 26 366.3, 366.31, 636, 706.5, 727.2, 4096, 4096.5, 4648, 11462.01,
 27 16010.7, 16501, 16501.1, and 16521.6 of the Welfare and
 28 Institutions Code, and to implement, interpret, or make specific
 29 Sections 361.22, 727.12, 4096.55, 4096.6, 11402.005, and Chapter
 30 7 (commencing with Section 16585) of Part 4 of Division 9 of the
 31 Welfare and Institutions Code, in whole or in part, by means of
 32 plan or all-county letters, information notices, plan or provider
 33 bulletins, or other similar instructions, until the adoption of
 34 regulations no later than ~~July 1, 2024.~~ *January 1, 2030.*

35 (d) The provisions amended or added by ~~this act~~ *Chapter 86 of*
 36 *the Statutes of 2021* that impact Medi-Cal, the State Department
 37 of Health Care Services, or county behavioral health departments
 38 shall be implemented only if, and to the extent that, federal
 39 financial participation, as provided under the Medi-Cal program,

1 is not jeopardized and all necessary federal approvals have been
2 obtained.

3 *SEC. 37. Notwithstanding the rulemaking provisions of the*
4 *Administrative Procedure Act (Chapter 3.5 (commencing with*
5 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*
6 *Code), the State Department of Social Services may implement,*
7 *interpret, or make specific the amendments made to Sections 358.2,*
8 *366.2, 706.5, and 16501 of the Welfare and Institutions Code by*
9 *this act by means of all-county letters or similar written*
10 *instructions, which shall be exempt from submission to or review*
11 *by the Office of Administrative Law. These all-county letters or*
12 *similar instructions shall have the same force and effect as*
13 *regulations until the adoption of regulations, no later than January*
14 *1, 2030.*

15 *SEC. 38. Notwithstanding Chapter 3.5 (commencing with*
16 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*
17 *Code, the State Department of Health Care Services may*
18 *implement, interpret, or make specific the amendments made to*
19 *Sections 358.2, 366.2, 706.5, and 16501 of the Welfare and*
20 *Institutions Code by this act by means of plan or all-county letters,*
21 *information notices, plan or provider bulletins, or other similar*
22 *instructions, until the adoption of any necessary regulations, no*
23 *later than January 1, 2030.*

24 *SEC. 39. The sum of one hundred thousand dollars (\$100,000)*
25 *is hereby appropriated from the Federal Trust Fund to the State*
26 *Department of Social Services for child welfare programs.*

27 *SEC. 40. No appropriation pursuant to Section 15200 of the*
28 *Welfare and Institutions Code shall be made for purposes of this*
29 *act.*

30 *SEC. 41. To the extent that this act has an overall effect of*
31 *increasing certain costs already borne by a local agency for*
32 *programs or levels of service mandated by the 2011 Realignment*
33 *Legislation within the meaning of Section 36 of Article XIII of the*
34 *California Constitution, it shall apply to local agencies only to the*
35 *extent that the state provides annual funding for the cost increase.*
36 *Any new program or higher level of service provided by a local*
37 *agency pursuant to this act above the level for which funding has*
38 *been provided shall not require a subvention of funds by the state*
39 *or otherwise be subject to Section 6 of Article XIII B of the*
40 *California Constitution.*

1 *However, if the Commission on State Mandates determines that*
2 *this act contains other costs mandated by the state, reimbursement*
3 *to local agencies and school districts for those costs shall be made*
4 *pursuant to Part 7 (commencing with Section 17500) of Division*
5 *4 of Title 2 of the Government Code.*

6 *SEC. 42. This act is a bill providing for appropriations related*
7 *to the Budget Bill within the meaning of subdivision (e) of Section*
8 *12 of Article IV of the California Constitution, has been identified*
9 *as related to the budget in the Budget Bill, and shall take effect*
10 *immediately.*

11 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
12 ~~changes relating to the Budget Act of 2025.~~