

19 October 2018

Regionalization, Concurrent Planning & Other Developments in NC Social Services.

FEDERAL OVERVIEW

Family First Prevention Services Act (Parts I and II)

- States have option of amending State plans to claim IV-E for prevention
- Up to 12 mos. IV-E reimbursement for child placed with parent in res. Treatment
- Match \$\$ for some kinship navigator programs
- Time limits for reunification services removed
- Electronic system for ICPC by 2027
- Renews authority for substance abuse grants

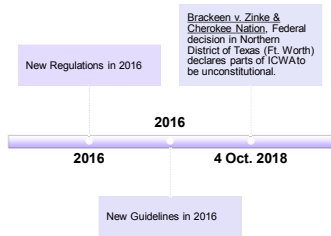
Family First Prevention Services Act (Parts II and IV)

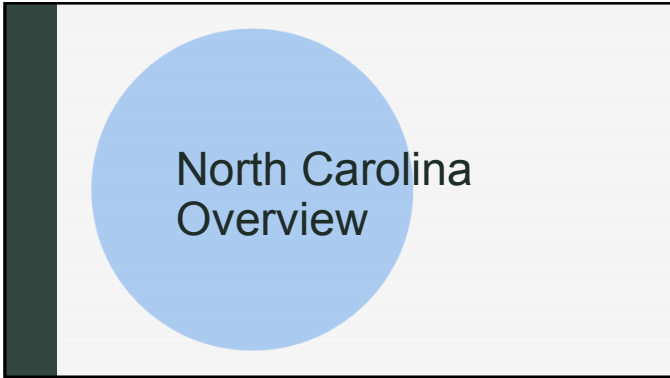
- ACF required to develop model standards for relative foster homes
- Statewide plan to prevent fatalities required
- IV-E name change to "Federal Payments for Foster Care, Prevention, and Permanency"
- Federal reimbursement for group care greatly reduced (foster home placement preferred).
- States must have procedures to prevent inappropriate diagnoses/placements

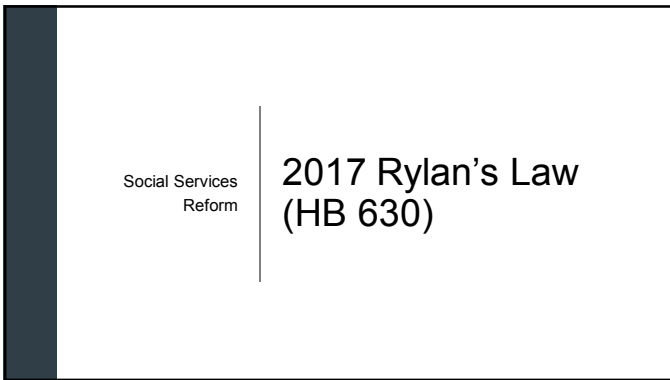
Family First Prevention Services Act (Parts V - VII)

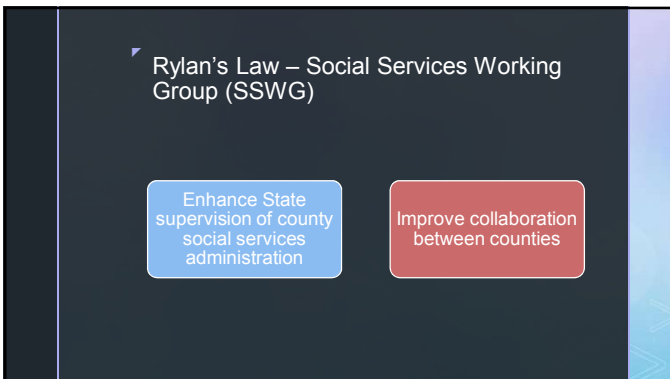
- Meager funding for supporting and retaining foster families
- Some funding under Title IV extended through 2021. Adoption and guardianship incentive programs authorized through FY 2020.
- Expands eligibility for some aspects of Chafee and ETV (scholarship) benefits
- Authorizes Federal rulemaking regarding data
- Delays the prior de-link of AFDC from adoption assistance eligibility
- Requires GAO study

Indian Child Welfare Act (ICWA) developments









Rylan's Law – Contract for Services Reform

- Contract with 3rd party organization to develop a reform plan:
 - Evaluate the role of the State in social services
 - Develop a new vision and strategic direction
 - Develop outcome driven reform plan
 - Develop plan for collection, analysis and use of data
 - Create a dashboard
 - Develop plan for continuous quality improvement (CQI)
 - Review policies & procedures
 - Ongoing evaluation and oversight

Rylan's Law – Local DSS Agreements

- County DSS required to enter into annual written agreements with State for all programs other than Medicaid
- See new N.C.G.S. § 108A-74

Rylan's Law – Optional Regional Social Services Departments

- Establishes the framework for Counties to create Regional Departments to provide social services.

Children's Council Authorized 2018

- 25 member children's Council
- Identifies child serving agencies in NC, problems with collaboration, coordination, and communication in child welfare, gaps in publicly funded programs
- Researches other states
- Monitors social services reform
- Recommends changes to law, policy, practice to improve collaboration, coordination, and communication



Other NC Legislation

G.S. § 7B-901(c) amended to address reasonable efforts holding in W re G.T.

Definitions of abused and neglected juvenile revised to include minor victims of human trafficking who are abused/neglected by someone other than their parents, guardians, custodians, or caretakers.

Various changes to adoption laws.

4 Types of Regional Governance under Consideration Blog Entry – On the Civil Side

TYPE	SSWG	MANDATORY	SUPERVISION OR ADMINISTRATION	KEY DATE
Regional Supervision	XX	Yes	Supervision	April 2018 March 2020
Inter-County Collaboration	XX	Mix	Supervision - laws should make it easier	Feb 2019
Optional Regional Administration		No	Administration, but not the State	March 2019
Mandatory Regional Administration	XX	Yes	Administration, if pursued	Feb 2019



Recent NC Case Law

- In re AP, 812 S.E.2d 840 (2018).
 - "Holistic" approach to definition of "Director."
 - Look at context
- In re JDM-J, ___ N.C. App. ___ (June 18, 2018).
 - ICPC regulation definition of foster care applies to out of state placements
- Multiple cases involving ceasing reunification efforts and eliminating reunification as a permanent plan



Concurrent Planning tips

- Avoid ceasing reunification efforts or eliminating reunification a permanent plan
- Specified efforts okay when reunification is a secondary plan
- Include the G.S. § 7B-906.2 ceasing language when reunification is no longer a primary or secondary plan and when finalizing the permanent plan.
- When ceasing under G.S. § 7B-901, may want to consider waiting to eliminate reunification as a secondary plan until further clarification from the Courts.

Sample Language when Minimal Reunification Efforts Specified

- This Court shall deem the following CCDSS efforts reasonable to finalize the secondary plan of reunification:
 - Attempt monthly contact with the parents;
 - Request consents to share information with any other service providers;
 - Maintain contact with other service providers; and
 - Make referrals for additional services when requested to do so by the parents.

Sample Language when Finalizing the Permanent Plan

- The permanent plan has been achieved. Pursuant to N.C.G.S. § 7B-906.2(a1), concurrent planning is no longer required.

Changes Coming from NC DSS

Modified Manual – due this Fall

Policy updates listserv: cwlistserv@lists.ncmail.net

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