



National Association of Public
Child Welfare Administrators

an affiliate of the American Public Human Services Association

Legislative Summary

Resource Family Recruitment and Retention Act (S. 410)

On Feb. 11, 2009, Sen. Blanche Lincoln, a member of the Senate Finance Committee introduced the Resource Family Recruitment and Retention Act of 2009 (S. 410). The legislation's overarching goal is to improve states' recruitment and retention practice strategies. There is no House equivalent to the Senate version.

Foster Parents' Bill of Rights

S. 410 amends Title IV-E of the Social Security Act. The bill mandates, subject to agencies' licensure renewal and effective Jan. 1, 2010, that states do the following:

- Notify foster parents of meetings concerning the child in their care and allow them an opportunity to actively participate in case planning and decision-making processes
- Give support services to foster parents to assist with the care of the child, including help with transportation costs to and from the child's hearings and proceedings
- Provide foster parents with agency policies and procedures regarding the foster parents' roles
- Provide open, complete and timely responses when contacted by foster parents, as well as information about all permanency options and the benefits, rights and responsibilities associated with these options
- Inform foster parents about the child's medical history, education, general behaviors, life experiences and placement circumstances
- Consult with foster parents about the release of their addresses to the birth parents as well as notification when this information has been released
- Assist foster parents with separation and loss issues when a child has been relocated
- Train foster parents to enhance their skills
- Supply foster parents with 24-hour, seven-day-a-week (24/7) agency contact information
- Maintain confidentiality of an abuse allegation regarding a member of the foster parents' family if it does not interfere with the health and safety of the child
- Afford the opportunity for foster parents to be heard regarding agency decisions or practices and ensure that the agency will not discharge, threaten or otherwise discriminate or retaliate against the foster parents

New Grants for States

S. 410 also provides grants to states, under Title IV-B of the Social Security Act, to carry out innovative programs that empower resource families, such as foster care, kinship care and adoptive parents. The legislation appropriates \$10.4 million for the grants for each year. They may be used for empowerment, leadership, support, training and recruitment for resource families and may include the following:

- A resource parent ombudsman program

- Programs that provide recognition of resource families as key partners in the child welfare system
- Programs that provide a career-path acknowledgement for long-term master resource parents
- Initiatives to help courts recognize the role of resource families
- Resources for states to purchase items that would help resource families do their jobs better, such as bedroom furniture, computers and after-school supplies
- Programs that allow resource parents greater involvement in assessment and case planning activities
- Peer-to-peer support and mentoring groups and experienced parent advocates who can act as liaisons for other resource parents
- Programs and training that assist resource families in caring for special needs children, including respite care to avoid burnout and family preservation services for crisis situations
- A 24-hour emergency hotline
- Training for resource parents on court processes and the role of CASAs and GALs
- Innovative ways to provide outreach to increase participation of new resource parents
- Collaboration with faith-based groups, businesses and other community partners

States interested in these grants must provide a 12-month development plan and a 24-month implementation plan with detailed strategies and processes. States must ensure that they will provide cooperative agreements with nonprofits that specialize in supporting resource parents. Each state is eligible to receive \$75,000 per year, with the remaining funds distributed based on numbers of foster children in each state.

NAPCWA Supports New Grants

Recruiting and retaining resource families has posed a challenge for states. Public child welfare administrators appreciate Section 3 of S. 410, as it emphasizes grants to further the success of states and foster care, kinship care and adoptive families.

NAPCWA's Concerns With Bill of Rights

As the legislation currently stands, NAPCWA does not support Section 2, the Agency Responsibilities to Resource Families, also known as the "foster parents' bill of rights" provisions. We hope that these provisions are made into financial incentives rather than mandates where state licensure and Title IV-E dollars are at risk.

Child welfare administrators understand the importance of including foster parents in meetings when appropriate. The concern is that legislation such as S. 410 would mandate participation across the board, eliminating a caseworker's decision for when it is in the best interests of the child to include foster parents. Another concern is that it may create unintended consequences for family team meetings, conferencing and decision-making in cases where a foster parent's role conflicts with the role and rights of the birth parents.

Contact Information

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