

Enhanced, Special Foster Care

This Act creates a pilot program to provide enhanced, special services to children between four and ten years old who are placed in foster care. The program is intended to reduce the emotional trauma to children who enter foster care.

Submitted as:

West Virginia

[Enrolled Committee Substitute for HB4164](#)

Status: Enacted into law in 2008.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act shall be cited as “The Enhanced Foster Care Act.”

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3 Section 2. [*Pilot Program for Placing Children Four to Ten Years Old in Foster Care.*]

4 (A) The [legislature] finds that:

5 (1) The needs of young children are not always adequately addressed when the
6 state [department of health and human resources] is required to take custody of them;

7 (2) Often the behavior of young children taken from their homes poses special
8 challenges for the [department] and other people charged with their care;

9 (3) The [department] must take extraordinary precautions to prevent serious
10 emotional damage to these children; and

11 (4) The [department] has resources within the [department] that can be redirected
12 to meet many of the needs of the program required by this section.

13 (B) The [department] shall choose [four] regions in which to implement a [two-year]
14 pilot program to address children ages [four through ten] immediately after removal from their
15 homes by the state [child protective service division] due to child abuse and neglect and who, by
16 the nature of their removal, are in crisis.

17 (C) The program shall:

18 (1) Include early intervention for children in crisis;

19 (2) Provide for the development of a short-term and an ongoing long-term plan
20 for each child;

21 (3) Provide that each child is evaluated for emotional and physical trauma and
22 other medical, dental, and educational needs in a timely manner;

23 (4) Require that each child be assigned an independent advocate through the
24 community advocacy programs as staff or volunteers are made available, and

25 (D) The plans required by subsection (C) of this section shall:

26 (1) Address abandonment, separation anxiety, post traumatic stress and other
27 emotional and physical needs of the child;

28 (2) Be developed by appropriately trained professional staff;

29 (3) Require the participation of a child care agency, the state [department of
30 education], community programs and other appropriate agencies providing services to children
31 ages [four through ten]; and

32 (4) Be developed to meet the ongoing emotional needs of each child.

33 (E) The short-term plan required by subsection (C) of this section shall address the
34 child's needs for the first [thirty] days under the [department's] supervision.

35 (F) During the initial evaluation period, and when a child is being placed into foster care,
36 the [department] shall when possible place the child into an enhanced specialized foster care
37 home. Providers offering enhanced specialized foster care homes shall offer crisis intervention
38 services staffed by trained professionals and also offer specialized training to manage a child's
39 reaction to the trauma of being removed from the custody of a parent, parents, or other
40 guardians, with emphasis on a child's emotional needs. This program shall limit the number of
41 children in one location to [three] foster children at a time. A greater number is permitted if all of
42 the children are siblings.

43 (G) After a short-term plan and long-term plan are developed, the [department] shall:

- 44 (1) Provide the foster family with training and education in the plan;
- 45 (2) Evaluate the interaction between the child and foster parents or parent;
- 46 (3) Train the foster parent or parents about how to respond to the child's
47 emotional crisis and how to understand the child's crisis reactive behavior; and
- 48 (4) Evaluate the foster family on its understanding of the need for this early
49 intervention and the need for appropriate crisis management.

50 (H) The providers of enhanced specialized foster care services shall:

- 51 (1) Create and train a team to provide crisis intervention;
- 52 (2) Provide a call system that enhanced specialized foster parent or parents and
53 their foster child can use to speak to a team member or other appropriately trained professional
54 during a crisis; and
- 55 (3) Require a crisis team member to visit the home if the crisis cannot adequately
56 be resolved over the telephone and to do a follow up visit within [two] days to meet with the
57 enhanced specialized foster parent or parents, and child, individually, to determine if the crisis
58 was satisfactorily resolved.

59 (I) The [department] shall develop a system to evaluate the pilot program for outcomes
60 and standards of care and report back to [public, private, and community partners]. In addition
61 the evaluation shall be reported to the [Joint Committee on Government and Finance] or other
62 designated committees every [six months for two years]. The evaluation shall be contracted by
63 the [department] through an external entity that shall:

- 64 (1) Establish measurable outcomes for purposes of evaluation;
- 65 (2) Collect, analyze and report data [quarterly and annually];
- 66 (3) Identify trends and make recommendations for program improvement;
- 67 (4) Conduct an analysis of the impact of the pilot program on the foster child
68 participants' emotional stability, the number of placements they experienced, and the basis for
69 required moves;
- 70 (5) Provide technical assistance and training to the pilot program;
- 71 (6) Provide leadership in the development of data collection and outcome
72 reporting models;
- 73 (7) Provide feedback for quality improvement to those responsible for the pilot
74 program; and
- 75 (8) Monitor, research and present best practices through everyday communication
76 and training opportunities.

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78 Section 3. [*Severability.*] [Insert severability clause.]

79
80 Section 4. [*Repealer.*] [Insert repealer clause.]

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Section 5. [*Effective Date.*] [Insert effective date.]