

<b>LFC Requester:</b>	<b>Rachel Mercer-Garcia</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

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*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 03/03/2025 *Check all that apply:*  
**Bill Number:** SB 458 Original  Correction   
 Amendment  Substitute

**Sponsor:** Senate Rules Committee **Agency Name** Office of Family Representation  
Substitute **and Code** and Advocacy - 68000  
**Short** **Number:** \_\_\_\_\_  
**Title:** CYFD Nominating Committee **Person Writing** Leslie Jones  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: HB 205  
Duplicates/Relates to Appropriation in the General Appropriation Act

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

##### Synopsis:

The Senate Rules Committee Substitute for Senate Bill 458 removes the following from the original bill:

- Creation of the Secretary of CYFD Nominating Committee; requiring the Secretary of CYFD to be selected from the list of selected nominees;
- Moving rulemaking authority for the plan of (safe) care process from CYFD to the Health Care Authority;
- Updates to requirements for plans of (safe) care;
- Transfer of the Substitute Care Advisory Counsel from the Regulation and Licensing Department to the Administrative Office of the Courts, defining terms in the Citizen Substitute Care Review Act, providing for staffing of the SCAC, establishing criteria for case review, providing rules regarding volunteer members, changing reporting requirements, requiring the SCAC to provide CYFD with case reports, requiring SCAC staff and CYFD to meet quarterly, transferring employees, property and contractual obligations of SCAC from Regulation and Licensing to the AOC.

The Senate Rules Committee Substitute for Senate Bill 458 retains the following from the original bill:

- Requiring CYD to implement the multilevel response system statewide;
- Enacting the Families First Act within the Children's Code;
- Requiring CYFD to develop and implement a Families First Strategic Plan for approval by the Federal Administration for Children and Families;
- Requiring provisions of the Strategic Plan to identify and provide foster care prevention services that meet the requirements of the federal Family First Prevention Services Act;
- Providing for CYFD consultation with Early Childhood Education and Care Department, the Health Care Authority and the Department of Health;
- Providing Strategic Plan Requirements;
- Providing access to and requirements for confidentiality of certain records and information.

#### **FISCAL IMPLICATIONS**

There are numerous significant unfunded mandates that will likely have administrative and programmatic impact on multiple state agencies.

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

#### **SIGNIFICANT ISSUES**

The Senate Rules Committee Substitute for Senate Bill 458 removes the most problematic provisions in the original bill. The remaining provisions are primarily focused on codifying, strengthening, or clarifying programs and services already required to be implemented by CYFD,

either in current state law or pursuant to federal law.

Proposed new Section 9-2A-8(M) statutorily codifies the requirement that the department develop and implement a families first strategic plan, something it is already required to do in order for the state to receive funding under Families First Act but would now also be required by state law.

Proposed amendments to Section 32A-4-4.1 clarify and make more specific the department's reporting requirements regarding its multilevel response system. It also removes the department's option of first instituting a multilevel response system as a pilot project and requires that a statewide system be implemented no later than July 1, 2027. While it is hoped that a statewide multilevel response system would result in greater consistency and increased use of supportive and preventive interventions in the department's response to at risk children and families, it is unknown if this would result in a reduction in investigations that become legal cases. Its impact on OFRA's need for staffing and contract attorneys and interdisciplinary staff is unknown.

Proposed new Sections 3 through 6, to be cited as the "Families First Act" provide the statutory framework for implementing proposed new Section 9-2A-8(M), requiring that the department develop and implement a families first strategic plan. It is significant that the focus of "families first services" is on foster care prevention services. If implemented, the availability and use of funds for evidence-based services specifically designed to assist families at risk of having their children placed in foster care could decrease the number of children entering foster care through abuse and neglect petitions. This could decrease OFRA's need for staff and contract attorneys and interdisciplinary staff to handle abuse and neglect cases.

Proposed amendment to Section 32A-4-21(B.)(5) provides that predisposition studies may include "services provided pursuant to the Families First Act, as well as referrals to income support or other services or programs" in the report's description of services offered to the child, the child's family and the child's foster family.

Proposed amendment to Section 32A-4-33(B)(6) regarding who may have access to records in a neglect or abuse proceeding deletes "any local substitute care review board or any agency contracted to implement local substitute care review boards" and replaces it with "a staff member of the substitute care advisory council, if the records are requested for the purpose of carrying out the provisions of the Citizen Substitute Care Review Act." As this amendment serves to make the provision consistent with the proposed amendments to Section 32A-8-2 in the original SB 448, it is not clear why this change was retained in the substitute bill. This change would require training of OFRA staff and contract attorneys and interdisciplinary staff regarding the sharing of neglect or abuse case information with the substitute care advisory council.

## **PERFORMANCE IMPLICATIONS**

## **ADMINISTRATIVE IMPLICATIONS**

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

## **TECHNICAL ISSUES**

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

**AMENDMENTS**