

SENATE BILL REPORT

SJM 8025

As Reported By Senate Committee On:
Human Services & Corrections, February 05, 2008

Brief Description: Requesting that Congress reform current federal financial structure for foster care.

Sponsors: Senators Stevens, Hargrove, Parlette and Shin.

Brief History:

Committee Activity: Human Services & Corrections: 1/31/08, 2/5/08 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Jennifer Strus (786-7316)

Background: During the past decade, the influence of the federal government over child welfare has grown as Congress has enacted new programs, mandates, funding streams, and accountability mechanisms, including the Adoption and Safe Families Act of 1997 (ASFA) and the Child and Family Services Reviews (CFSRs), the results-based program of federal child welfare oversight. Although substantive federal policy, including ASFA and the CFSRs, has increasingly emphasized achievement of child safety, permanency and well-being, federal policy underlying the financing of child welfare has not undergone a similar evolution.

For example, although federal funding for foster care under Title IV-E is an uncapped entitlement, funding under Title IV-B for prevention and support services to prevent out-of-home placement or to shorten foster care stays is extremely limited. Federal foster care funding is provided only to children from birth families who meet 1996 welfare eligibility standards, which makes it difficult for the states to administer and has resulted in a gradual cost shift from the federal government to the states over time.

In addition, states were able to obtain waivers to use funding under the Title IV-E foster care program for a variety of services to reduce reliance on foster care, but the authority of the federal government to grant such waivers expired at the end of March 2006 and has not been renewed. Furthermore, although federal law recognizes legal guardianship as an acceptable permanency option for children in foster care for whom neither reunification nor adoption is a feasible alternative, adoption remains the only permanency option for which there is federal financial participation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: Congress is requested to reform the current federal financial structure for foster care, especially Title IV-E of the Social Security Act. This request is made to allow states the flexibility to use more of their federal funds for other child welfare services besides foster care maintenance and to provide federal funding for all children who are victims of abuse or neglect regardless of income.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Staff Summary of Public Testimony: None.

Persons Testifying: No one.