

2016 -- S 2611

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - FOSTER PARENTS' BILL OF RIGHTS

Introduced By: Senators Goldin, Crowley, Satchell, Coyne, and Goodwin

Date Introduced: February 25, 2016

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-72.10-1 of the General Laws in Chapter 42-72.10 entitled
2 "Department of Children, Youth and Families - Foster Parents' Bill of Rights" is hereby amended
3 to read as follows:

4 ~~**42-72.10-1. Policy issues.**~~ **Statement of foster parents' rights.** -- (a) The Rhode Island
5 general assembly recognizes the importance of foster parents in the care and nurturing of children
6 who are in the care and custody of the department of children, youth and families. A statement of
7 foster parents' rights shall be given to every foster parent annually and shall include the following
8 rights: ~~In an effort to ensure that foster parents are treated with dignity, respect and trust in their~~
9 ~~work for the department and/or the department's designated child placing agency, the general~~
10 ~~assembly hereby directs the department to promulgate through policy, rule and/or regulations a~~
11 ~~statement of foster parents' rights by no later than January 1, 2011. Said policy, rule and/or~~
12 ~~regulations shall address at a minimum issues related to the following:~~

13 ~~(1) The role of the foster parent within the child welfare team;~~

14 ~~(2) Foster parent training;~~

15 ~~(3) The timely sharing of available appropriate information on a foster child with the~~
16 ~~foster parent, where the information could reasonably be expected to impact the care provided to~~
17 ~~the child and/or the health and safety of the child and/or a foster family member;~~

18 ~~(4) Confidentiality regarding a foster parent's personal issues as provided by law;~~

1 ~~(5) Access to services and supports to address the needs of the children in their care,~~
2 ~~including but not limited to, 24-hour emergency and urgent telephone support;~~

3 ~~(6) Timely notifications regarding meetings and court dates which pertain to the child's~~
4 ~~service planning and the ability to participate in those meetings as appropriate;~~

5 ~~(7) Timely financial reimbursement as provided by department policies and procedures;~~
6 ~~and~~

7 ~~(8) Investigations of alleged licensing violations and/or child abuse in the foster home~~
8 ~~and the appeals process for such investigations.~~

9 ~~(b) Statement Required. — By no later than March 1, 2011, the department shall provide~~
10 ~~all current foster parents a copy of the promulgated statement of foster parents' rights and ensure~~
11 ~~that this is provided to all prospective foster parents at the time of their initial foster parent~~
12 ~~training or in the case of kinship foster parents at the time of the relative child's placement.~~

13 (1) The right to be treated with dignity, respect, and consideration as a professional
14 member of the child welfare team;

15 (2) The right to be notified of and be given appropriate, ongoing education and
16 continuing education and training to develop and enhance foster parenting skills;

17 (3) The right to be informed about ways to contact the department of children, youth and
18 families, hereinafter ("the department"), to receive information and assistance to access
19 supportive services for any child in the foster parents' care;

20 (4) The right to receive timely financial reimbursement for providing foster care services;

21 (5) The right to be notified of any costs or expenses for which the foster parent may be
22 eligible for reimbursement;

23 (6) The right to be provided a clear, written explanation of the individual treatment and
24 service plan concerning the child in the foster parent's home;

25 (7) The right to receive, at any time during which a child is placed with the foster parent,
26 additional or necessary information that is relevant to the care of the child;

27 (8) The right to be notified of scheduled review meetings, permanency planning
28 meetings, and special staffing concerning the foster child to actively participate in the case
29 planning and decision-making process regarding the child;

30 (9) The right to provide input concerning the plan of services for the child and to have
31 that input be given full consideration in the same manner as information presented by any other
32 professional on the team;

33 (10) The right to communicate with other foster parents to share information regarding
34 the foster child. In particular, the right to receive any information concerning the number of times

1 a foster child has been moved and the reasons for the move, including the names and contact
2 information of the previous foster parent(s) if the previous foster parent(s) has authorized such
3 release;

4 (11) The right to communicate with other professionals who work with the foster child
5 within the context of the team including, but not limited to, therapists, physicians and teachers;

6 (12) The right to be given, in a timely and consistent manner, any information, as allowed
7 by law, regarding the child and the child's family which is pertinent to the care and needs of the
8 child and to the making of a permanency plan for the child.

9 (13) The right to be given reasonable notice of any change in or addition to the services
10 provided to the child pursuant to the child's individual treatment and service plan;

11 (14) The right to be given written notice, except in emergency circumstances, of the
12 following:

13 (i) Plans to terminate the placement of the child with the foster parent and

14 (ii) The reasons for the changes or termination of the placement.

15 (15) The right to be notified by the department in a timely and complete manner of all
16 court hearings, including notice of the date and time of any court hearing, the name of the judge,
17 the location of the hearing and the court docket number of the case;

18 (16) The right to be informed of decisions made by the court and the department
19 concerning the child;

20 (17) The right to be considered as a preferred placement option when a foster child who
21 was formerly placed with the foster parent is to reenter foster care at the same level and type of
22 care, if that placement is consistent with the best interest of the child and other children in the
23 home of the foster parent;

24 (18) The right to be provided a fair, timely, and impartial investigation of complaints
25 concerning the certification of the foster parent;

26 (19) The right to be provided the opportunity to request and receive a fair and impartial
27 hearing regarding decisions that affect certification retention or placement of children in the
28 home;

29 (20) The right to be allowed the right to exercise parental substitute authority;

30 (21) The right to have timely access to the appeals process of department and the right to
31 be free from acts of harassment and retaliation by any other party when exercising the right to
32 appeal; and

33 (22) The right to file a grievance and be informed of the process for filing a grievance.

34 (b) The department of children, youth and families shall be responsible for implementing

1 [the provisions of this section.](#)

2 [\(c\) Nothing in this section shall be construed to create a private right of action or claim](#)
3 [on the part of any individual, department, or other state agency.](#)

4 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO STATE AFFAIRS AND GOVERNMENT - FOSTER PARENTS' BILL OF RIGHTS

- 1 This act would set forth a formal statement of foster parents' bill of rights, and would
- 2 require that copies be given to all foster parents annually.
- 3 This act would take effect upon passage.

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