

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 906 of 2001
SENATE BILL 303

5 By: Senator Wilkins
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE FAMILY PRESERVATION SERVICES
10 PROGRAM ACT.
11

Subtitle

12 AN ACT TO AMEND THE FAMILY PRESERVATION
13 SERVICES PROGRAM ACT.
14
15
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

19 SECTION 1. Arkansas Code 9-16-101 is amended to read as follows:
20 9-16-101. Title.

21 This chapter shall be known as the "Family Preservation Services Program
22 Act of 1991".
23

24 SECTION 2. Arkansas Code 9-16-102 is amended to read as follows:
25 9-16-102. Definitions.

26 "Family preservation services" ~~are programs that~~ means services for
27 children and families designed to help families, including adoptive and
28 extended families, at risk or in crisis, including:

29 ~~(1) Follow intensive, home-based service models with demonstrated~~
30 ~~effectiveness in reducing or avoiding the need for out-of-home placement;~~

31 ~~(2) Provide such services toward the following goals:~~

32 ~~(A) Lower costs than out-of-home placements;~~

33 ~~(B) Improved assessment of risk and better child protection;~~

34 ~~(C) More effective utilization of placement funds by improved~~
35 ~~accuracy in the placement decision; and~~

36 ~~(D) Improved quality of life for at-risk children and families.~~

1 ~~(3) Meet the following criteria:—~~

2 ~~(A) Provide the majority of the services in the family's home or~~
3 ~~other natural community setting;—~~

4 ~~(B) Provide direct therapeutic services to families in accordance~~
5 ~~with family preservation models as prescribed by policy;—~~

6 ~~(C) Aid in the solution of practical problems that contribute to~~
7 ~~family stress so as to effect improved parental performance and enhanced~~
8 ~~functioning of the family unit;—~~

9 ~~(D) Arrange for additional assistance, including, but not limited~~
10 ~~to, housing, child care, education, and job training, emergency cash grants,~~
11 ~~state and federally funded public assistance, and other basic support needs;~~
12 ~~and—~~

13 ~~(E) Arrange for paraprofessionals to provide specialized services~~
14 ~~or skills to manage everyday problems and better provide and care for~~
15 ~~children.—~~

16 (A) Service programs designed to help children:

17 (i) Where safe and appropriate, return to families from which
18 they have been removed;

19 (ii) Be placed for adoption;

20 (iii) Be placed with a legal guardian; and

21 (iv) If adoption or legal guardianship is determined not to be
22 safe and appropriate for a child, in some other planned, permanent living
23 arrangement;

24 (B) Preplacement preventive services programs, such as intensive family
25 preservation programs, designed to help children at risk of foster care
26 placement remain safely with their families;

27 (C) Service programs designed to provide follow-up care to families to
28 whom a child has been returned after a foster care placement;

29 (D) Respite care of children to provide temporary relief for parents
30 and other caregivers, including foster parents; and

31 (E) Services designed to improve parenting skills by reinforcing
32 parents' confidence in their strengths, and helping them to identify where
33 improvement is needed and to obtain assistance in improving those skills with
34 respect to matters such as child development, family budgeting, coping with
35 stress and health and nutrition.

36

1 SECTION 3. Arkansas Code 9-16-103 is amended to read as follows:

2 9-16-103. ~~Deputy~~ Director of the Division of Children and Family
3 Services - Duties.

4 The ~~Deputy~~ Director of the Division of Children and Family Services
5 shall:

6 (1) Make family preservation services accessible ~~by 1995, to at least~~
7 ~~forty percent (40%) of children~~ to all cases where the child is about to be
8 placed outside their homes, or who have been placed outside their homes and
9 for whom the goal is reunification. Thereafter the ~~deputy~~ director shall make
10 family preservation services accessible to all cases where the child is about
11 to be removed or reunification is the goal and provision of such services is
12 appropriate;

13 (2) Ensure that statewide availability of family preservation services
14 is accomplished in an orderly fashion, with modification based on analysis of
15 an annual evaluation report; and

16 (3) Continue the implementation of family preservation services by
17 consultation with professionals who are nationally recognized in the field.

18

19 SECTION 4. Arkansas Code 9-16-105(b) is amended to read as follows:

20 (b) In the event a nonprofit social service agency or qualified
21 individual is contracted by the Department of Human Services, to provide
22 family preservation services, the contract shall include:

23 (1) Requirements for provider acceptance of any client referred
24 by the Department of Human Services for family preservation services;

25 (2) Limitation of caseload ~~per therapist~~;

26 (3) Availability of twenty-four-hour crises intervention services
27 to families served by the program;

28 (4) Completion of the required training curriculum for family
29 preservation services; and

30 (5) Provide for and conduct internal program evaluation and
31 cooperate with external evaluation as directed by the Division of Children and
32 Family Services.

33

34 SECTION 5. Arkansas Code 9-16-106(a) is amended to read as follows:

35 (a) Family preservation services shall be provided ~~only~~ to those
36 children who are placed out-of-home for whom the goal is reunification and

1 those children who are at actual, imminent risk of out-of-home placement, in
2 situations in which family preservation services afford effective protection
3 of children, youth, families, and the community. This shall include children:

4 (1) Who are at risk of removal as dependent, abused, or
5 neglected;

6 (2) Whose families are in conflict such that they are unable to
7 exercise reasonable control of the child.

8
9 SECTION 6. Arkansas Code 9-16-108 is amended to read as follows:

10 9-16-108. Evaluation.

11 The ~~Deputy~~ Director of the Division of Children and Family Services
12 shall conduct a yearly evaluation of family preservation services which shall
13 include the following:

14 (1) The number of families in which family preservation services has
15 been an alternative to placement of the child if available;

16 (2) The number of families receiving family preservation services,
17 including the number of children in those families;

18 (3) Among those families receiving family preservation services, the
19 number of children placed outside the home and the average cost per family of
20 providing family preservation services;

21 (4) The estimated cost of out-of-home placement which would have been
22 expended on behalf of those children who received family preservation services
23 based on average lengths of stay and average costs of out-of-home placements;

24 (5) The number of children who remain unified with their families six
25 (6) months and one (1) year after completion of family preservation services;

26 and

27 (6) An overall evaluation of the progress of family preservation
28 services programs during the preceding year, recommendations for improvements
29 in delivery of this service, and a plan for the continued development of
30 family preservation services to ensure progress towards statewide
31 availability.

32
33
34
35 APPROVED: 3/19/2001