

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: S3/26/19

A Bill

HOUSE BILL 1469

5 By: Representative C. Fite
6 By: Senator Rice
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE DEFINITION OF "FOSTER HOME" UNDER
10 THE CHILD WELFARE AGENCY LICENSING ACT; TO AMEND THE
11 LAW CONCERNING FOSTER HOMES; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO AMEND THE DEFINITION OF "FOSTER HOME"
16 UNDER THE CHILD WELFARE AGENCY LICENSING
17 ACT; AND TO AMEND THE LAW CONCERNING
18 FOSTER HOMES.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 9-27-363(b)(2)(A), concerning foster youth
24 transition, is amended to read as follows:

25 (A) The juvenile's right to stay in foster care after
26 reaching eighteen (18) years of age for education, treatment, or work and
27 specific programs and services, including without limitation the ~~John H.~~
28 ~~Chafee Foster Care Independence Program~~ John H. Chafee Foster Care Program
29 for Successful Transition to Adulthood and other transitional services; and
30

31 SECTION 2. Arkansas Code § 9-28-114(b)(2)(A), concerning foster youth
32 transition, is amended to read as follows:

33 (A) The juvenile's right to stay in foster care after
34 reaching eighteen (18) years of age for education, treatment, or work and
35 specific programs and services, including without limitation the ~~John H.~~
36 ~~Chafee Foster Care Independence Program~~ John H. Chafee Foster Care Program



1 for Successful Transition to Adulthood and other transitional services; and

2
3 SECTION 3. Arkansas Code § 9-28-402(14), concerning the definition of
4 "foster home", is amended to read as follows:

5 (14)(A) "Foster home" means ~~a private residence of one (1) or~~
6 ~~more family members that receives from a child placement agency any child who~~
7 ~~is unattended by a parent or guardian in order to provide care, training,~~
8 ~~education, or supervision on a twenty four hour basis, not to include~~
9 ~~adoptive homes.~~ the home of an individual or family:

10 (i) That is licensed or approved as a foster home
11 under the terms of this subchapter; and

12 (ii) Where a child in foster care is placed into the
13 care of an individual who is licensed or approved to be a foster parent under
14 this subchapter.

15 (B) "Foster home" does not include an adoptive home or a
16 home suspended or closed by a child placement agency;

17
18 SECTION 4. Arkansas Code Title 9, Chapter 28, Subchapter 4, is amended
19 to add an additional section to read as follows:

20 9-28-415. Foster home – Care requirements and limitations.

21 (a) A foster home shall:

22 (1) Provide substitute care within a family-like setting on a
23 twenty-four-hour basis for any child placed in the home by a child placement
24 agency;

25 (2) Adhere to the reasonable and prudent parent standard, as that
26 standard is defined by Pub. L. No. 113-183, in the care of any child placed
27 in the home by a child placement agency; and

28 (3) Be the primary residence of the individual or family that is
29 owned, rented, sublet, or leased by the individual or family.

30 (b) A child placement agency may own and support the foster home if the
31 foster home is the primary residence of the individual or family and the
32 foster home meets all other licensing requirements under this subchapter.

33 (c) A foster home shall not provide care for more than six (6) children
34 in foster care unless providing care for additional children will allow:

35 (1) A parenting youth in foster care to remain with his or her
36 child;

- 1 (2) Siblings in foster care to remain together;
- 2 (3) A child with an established meaningful relationship with a
- 3 family to remain with the family; or
- 4 (4) A family with special training or skills to provide care to
- 5 a child who has a severe disability.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

/s/C. Fite

APPROVED: 4/3/19