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	A Bill	
2	83rd General Assembly	A DIII	Act 1435 of 2001
3	Regular Session, 2001		HOUSE BILL 1693
4			
5	By: Representatives Judy, T. Ste	ele, Thomas, W. Walker	
6			
7			
8		For An Act To Be Entitled	
9	AN ACT CONCERNING KINSHIP CARE; AND FOR OTHER		
10	PURPOSES.		
11 12		Subtitle	
13		CONCERNING KINSHIP CARE.	
14		Soncerning KINSHIT CARE.	
15			
16	BE IT ENACTED BY THE GENE	RAL ASSEMBLY OF THE STATE OF A	ARKANSAS:
17			
18	SECTION 1. Arkansa	as Code 9-28-502 is amended to	read as follows:
19	9-28-502. Definiti	ons.	
20	As used in this sub	ochapter:	
21	(1) "Division" mea	ans the Division of Children a	nd Family Services in
22	the Department of Human S	Servi ces; and	
23	(2) "Foster parent	" means any person with whom a	a child in the care,
24	custody , or guardi anshi p	of the division is placed for	temporary or long-term
25	care, but shall not inclu	ide any persons with whom a ch	ild is placed for the
26	purpose of adoption . ; and	<u>l</u>	
27	<u>(3)</u> "Kinship foste	er parent" means any relative	<u>within the first,</u>
28	second, or third degree o	of consanguinity to the parent	or stepparent of a
29	<u>child who is:</u>		
30	(A) Related	through blood or marriage; a	nd
31	<u>(B)</u> Approved	to be a foster parent to a c	<u>hild who is in the</u>
32	custody of the department		
33			
34		as Code 9-28-503 is amended to	
35		and duties of division - Eligi	5
36	(a)(1) When a chil	d has been removed from his h	ome and is in the care,

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1	custody, or guardianship of the division, the division shall attempt to place
2	the child with a relative for kinship foster care.
3	(2) The division shall establish, in accordance with the
4	provisions of this subchapter, eligibility standards for becoming a kinship
5	foster parent Kinship foster parents shall meet standards and requirements
6	established by the division for all foster parents, including, but not limited
7	<u>to:</u>
8	(A) Training;
9	(B) Background checks; and
10	(C) Home study requirements.
11	(b)(1) A person shall be eligible to become a kinship foster parent
12	only upon the completion of an investigation to ascertain if there is a state
13	or federal record of criminal history for the prospective kinship foster
14	parent or any other adult residing in the prospective parent's home.
15	(2) The Arkansas Crime Information Center shall conduct the
16	investigation and shall make the results of the investigation available to the
17	division in accordance with § 12-12-211.
18	(3) The division shall maintain the confidentiality of the
19	investigation results and shall use the results only for purposes of
20	determining a person's eligibility to become a kinship foster parent.
21	(4) It shall be unlawful, except for the purpose of determining a
22	person's eligibility for kinship foster care, for any person to disclose
23	information obtained under this subsection.
24	(5) Any person violating this subsection shall be guilty of a
25	Class A misdemeanor.
26	(c)(1) Relatives within the first, second, or third degree to the
27	parent or stepparent of a child who may be related through blood or marriage
28	may be eligible for approval as a kinship foster parent.
29	(2) The kinship foster parent shall be twenty-one (21) years of
30	age or older, except that, if the spouse or partner of the relative is twenty-
31	one (21) years of age or older and living in the home, and the relative is
32	between eighteen (18) and twenty-one (21) years of age, the division may waive
33	the age requirement.
34	(d) The division shall determine whether the person is able to care
35	effectively for the foster child by:
36	(1) Reviewing personal and professional references;

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1	(2) Observing during a home visit of the kinship foster parent		
2	with household members; and		
3	(3) Interviewing the kinship foster parent.		
4	(e)(b) If the relative is approved by the division to provide foster		
5	care services, in accordance with rules and regulations adopted by the		
6	division regarding foster care services, and a placement with the relative is		
7	made, the relative shall be eligible to receive payment for the full foster		
8	care rate for the care of the child and any other benefits that might be		
9	available to foster parents, whether in money or in services.		
10			
11	SECTION 3. Arkansas Code 9-28-504 is repealed:		
12	9-28-504. Case pl an.		
13	(a)(1) The division and the kinship foster parent shall develop a case		
14	plan for the foster care of the child, which shall be periodically reviewed		
15	and updated.		
16	(2) If the plan includes the use of an approved day care center		
17	or family day care home, the division shall pay for child care arrangements,		
18	according to established rates.		
19	(b) The kinship foster parent shall cooperate with any activities		
20	specified in the case plan for the foster child, such as counseling, therapy,		
21	or court sessions, or visits with the foster child's parents or other family		
22	members.		
23			
24	SECTION 4. Arkansas Code 9-28-505 is repealed:		
25	9-28-505. Rules and regulations.		
26	The Director of the Department of Human Services shall adopt rules and		
27	regulations necessary to carry out the provisions of this subchapter, pursuant		
28	to the Arkansas Administrative Procedure Act, § 25-15-201 et seq., except that		
29	the director shall not commence the process under the Administrative Procedure		
30	Act until the proposed rules and regulations have been reviewed by the Senate		
31	Interim Committee on Children and Youth.		
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34	APPROVED: 4/9/2001		
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