

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM # 2 Family Reunification Child Support Referral Requirements

CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held September 17, 2003, as follows:

September 17, 2003
Office Building # 9
744 P St. Auditorium
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on September 17, 2003.

CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

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CHAPTERS

California Department of Social Services Manual of Policies and Procedures, Division 31 (Child Welfare Services), Chapter 31-200 (Assessment and Case Plan), Section 31-206 (Case Plan Documentation); and Chapter 31-500 (Special Requirements), Section 31-503 (Child Support Referral Requirements)

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

These proposed regulations amend specific provisions and adopt new language in Division 31, Manual of Policies and Procedures.

In 2001, the legislature enacted AB 1449, Chapter 463, Statutes of 2001, which added Section 17552 to the Family Code relating to child support services. Section three of this legislation stated that the State Department of Social Services shall promulgate regulations to implement the provisions of this act.

Existing regulations require that a foster child's case be referred to the local child support agency. The proposed regulations will require the social worker to make a determination whether making a referral to the local child support agency will pose a barrier to the proposed reunification plan based on the child's best interests.

The proposed regulations will ensure that court dependent foster children and their families can reunite with the maximum support and stability, thereby enhancing the opportunity for family preservation, child safety and well-being.

COST ESTIMATE

1. Costs or Savings to State Agencies: Minor savings.
2. Costs to Local Agencies or School Districts: None.
3. Nondiscretionary Costs or Savings to Local Agencies: Minor savings.
4. Federal Funding to State Agencies: Minor savings.

LOCAL MANDATE STATEMENT

These regulations do impose a mandate upon local agencies but not upon school districts. The mandate is not required to be reimbursed pursuant to part 7 (commencing with Section 17500) of Division 4 of the California Constitution because implementation of the regulations will, if anything, result in minor savings.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Welfare and Institutions Code Sections 10553 and 10554 and Family Code Section 17552. Subject regulations implement and make specific Family Code Section 17552.

CDSS REPRESENTATIVE REGARDING RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person: Anthony J. Velasquez (916) 657-2586

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AGENDA ITEM(S) FOR THIS PUBLIC HEARING – September 17, 2003

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| ITEM # 1 | ORD # 1202-28
Regulations | ABAWD, Food Stamp Voluntary Quit, and FSET Emergency |
| ITEM # 2 | ORD # 0403-08 | Family Reunification Child Support Referral Requirements |
| ITEM # 3 | ORD # 0603-13
Reimbursement | Foster Care Rates - Triennial Financial Audits and Cost |
| ITEM # 4 | ORD # 0203-04 | CalWORKs/Food Stamps Intercept Program |
| ITEM # 5 | ORD # 0503-12 | Foster Youth Personal Rights |