



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1397

Introduced 2/9/2005, by Rep. Annazette Collins

SYNOPSIS AS INTRODUCED:

20 ILCS 505/6d new

Amends the Children and Family Services Act. Requires the Department of Children and Family Services, in collaboration with community service providers, to annually develop and administer an objective plan with respect to services for dependent children that specifies the assessment and case planning process and prescribes the services needed to ensure the most appropriate alternate care placement for dependent children who must be placed outside their homes. Defines "assessment" and "dependent children". Provides that the plan must be developed by the Department in collaboration with community service providers, foster parent providers, licensed residential child care providers, mental health providers, parents and guardians, child care providers, school system representatives, juvenile justice council members, and other community representatives, and must be approved by the regional administrator. Requires that the plan must be approved prior to the beginning of each fiscal year for use in preparing the legislative budget request for the following fiscal year.

LRB094 06294 LCB 36367 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Children and Family Services Act is amended
5 by adding Section 6d as follows:

6 (20 ILCS 505/6d new)

7 Sec. 6d. Alternate care plans for adolescents.

8 (a) The General Assembly finds that:

9 (1) The traditional foster care system often fails to
10 meet the needs of children in the legal custody of the
11 Department.

12 (2) Increasingly, the shelter care, foster care, and
13 residential group care populations include a high
14 proportion of children who are difficult to serve,
15 including a large number of adolescents, emotionally and
16 behaviorally disturbed children, children with delinquency
17 or substance abuse histories, and younger children with
18 serious medical and developmental disabilities.

19 (3) The foster care system includes a larger pool of
20 older children who have more complicated problems and who
21 have been in care for long periods of time and are not
22 faring well in care.

23 (4) Alternate or individualized care placements for
24 adolescents are often inadequate or inappropriate, and
25 services are inadequate to prepare them for independent
26 living.

27 (5) There is a lack of permanent adoptive homes for
28 older and disabled children.

29 (6) Adolescents are often inappropriately and
30 repeatedly placed in the foster care system, typically
31 spend long periods in alternate care, lack a stable
32 environment, and exhibit behavior problems such as

1 truancy, delinquency, and physical or sexual abuse.

2 (7) The placement of some dependent children in
3 inpatient residential psychiatric treatment and the
4 juvenile justice system could be avoided if comprehensive
5 residential and therapeutic services options were
6 available.

7 (8) The child welfare system consists of a disjointed
8 array of independent assessment, protection, and treatment
9 services within each region, which makes it difficult to
10 systematically assess, plan, and provide for the needs of
11 dependent children who require alternate or individualized
12 care.

13 (8) A lack of collaboration exists among programs of
14 the Department and other agencies regarding the
15 assessment, case planning, and provision of services to
16 dependent children who may require removal or who have been
17 removed from their homes.

18 (9) It is necessary to promote the design and operation
19 of an objective assessment and case planning process; to
20 develop a community continuum of service for children in
21 the custody of the Department who require alternate or
22 individualized care plans by ensuring that alternate care
23 placements are based on the needs of the child and the
24 family; and to encourage innovation in significantly
25 restructuring local alternate care systems to be more
26 flexible and efficient in providing protection and
27 treatment services for dependent children.

28 (b) The Department must, in a collaborative partnership
29 with community service providers, annually develop and
30 administer an objective plan with respect to services for
31 dependent children. The region's community service providers
32 must annually develop and submit to the regional administrator
33 by March 31, 2006, and by March 31 of each succeeding year, an
34 alternate care plan that specifies the assessment and case
35 planning process and prescribes the services needed to ensure
36 the most appropriate alternate care placement for dependent

1 children who must be placed outside their homes. As used in
2 this Section:

3 (1) "Assessment" means the evaluation of a child's
4 physical, psychological, educational, vocational, and
5 social condition and the child's family environment as they
6 relate to the child's need for rehabilitative and treatment
7 services, including substance abuse treatment services,
8 mental health services, developmental services,
9 educational and remedial literacy services, medical
10 services, family services, and other specialized services.

11 (2) "Dependent children" means those children whose
12 initial placement and care plans are not achieving a
13 permanent placement. This term includes all children
14 described in subsection (a) of this Section.

15 (c) The plan must be developed by the Department in
16 collaboration with community service providers, foster parent
17 providers, licensed residential child care providers, mental
18 health providers, parents and guardians, child care providers,
19 school system representatives, juvenile justice council
20 members, and other community representatives, and must be
21 approved by the regional administrator. The plan must be
22 approved prior to the beginning of each fiscal year for use in
23 preparing the legislative budget request for the following
24 fiscal year.

25 (d) By September 2006, the Department must develop a
26 uniform State-wide reimbursement schedule for alternative plan
27 providers, which must be based on the range, complexity, and
28 quality of services provided and the assessed needs of the
29 children.

30 (e) Each region's alternate care plan for assessment, case
31 planning, and placement must include:

32 (1) An objective process for determining the most
33 appropriate type of alternate placement for dependent
34 children that specifies the goals for the child and family
35 and objectives and procedures for assessment, case
36 planning, service plan monitoring, case management

1 services, client advocacy, family involvement, discharge
2 planning, and cost-sharing strategies.

3 (2) A defined range of services, from the least
4 expensive, least restrictive setting to the most costly,
5 most restrictive inpatient setting, including, but not
6 limited to, family preservation services, family foster
7 homes, therapeutic and medical foster homes, outpatient
8 day programs and specialized treatment programs,
9 residential child care programs, inpatient residential
10 treatment facilities, and psychiatric hospitals.

11 (3) A protocol for ensuring interagency collaboration
12 and appropriate service delivery based on the needs of
13 dependent children and their families, including a review
14 of existing assessments and services within the Department
15 and among other agencies to avoid unnecessary
16 examinations.

17 (4) An analysis of existing alternate care placement
18 options and evidence of planned activities to ensure that a
19 full array of settings is available, including written
20 agreements with providers that specify their capacity and
21 entrance and exit criteria.

22 (5) A means of diverting children, where appropriate,
23 from costly restrictive institutional placements into care
24 and treatment programs within the community that includes
25 plans for differentiated levels of treatment services.

26 (6) A compilation of data on the characteristics of
27 dependent children within the region, an analysis of
28 anticipated alternate care services and placements that
29 delineates the ages and profiles of the children, a
30 description of service and placement alternatives needed,
31 a determination of the number and type of placements
32 available, and a method for identifying gaps in services.

33 (7) Procedures for training and quality assurance.

34 (8) The identification of flexible funding
35 opportunities and methods of maximizing resources within
36 the Department as well as community agencies.

1 (9) The delineation of budget expenditures for
2 alternate care services.

3 (10) Any recommendations for proposed changes to
4 fiscal and substantive policies at the local, regional, and
5 State delivery levels.

6 (f) The findings and recommendations of the alternative
7 care plan shall be used to identify the appropriate
8 intervention services, to determine alternate care placement
9 decisions best suited to the needs of the child and family, and
10 to prepare reports. The alternative care plan must include
11 provisions for reviewing cases in which the resulting placement
12 of the child or the services provided are ineffective.