

HB 396 -- Foster Care

Co-Sponsors: Wright, Dixon, Viebrock, Morris, Holand, Marsh, Phillips

This bill makes various changes to laws dealing with the Division of Family Services and foster care. In its major provisions, the bill:

(1) Allow employees of the division who intentionally or with gross negligence violate division policy, division rules, or state laws to be civilly and criminally liable for damages. Employees who violate policies, rules, or laws are guilty of a class A misdemeanor, unless serious physical injury or death occurs, in which case the individual is guilty of a class D felony;

(2) Requires the division to submit changes in its policy to a joint legislative committee for review. The bill specifies the composition of the committee. It allows the committee to approve or disapprove changes and to amend the policy without submitting it to the agency;

(3) Requires individuals who report abuse and neglect to the Child Abuse and Neglect Hotline to give the division their name and social security number. Currently, reports of abuse and neglect can be made anonymously;

(4) Requires meetings and hearings dealing with the removal of a child from his or her home to be recorded. It also allows parents to record the hearing or request a copy of the division's recording. The division must keep the recordings for six months after the case is closed;

(5) Prohibits the division from requiring individuals to sign a confidentiality agreement before testifying or providing information; and

(6) Allows the division to refuse to issue or revoke a foster home license to an individual who has pled guilty to or been found guilty of an offense involving an act of violence.