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**HOUSE JOINT RESOLUTION NO. 781**

Offered January 17, 2017

*Directing the Joint Legislative Audit and Review Commission to study adequacy of foster care payment rates in the Commonwealth. Report.*

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 Patron—Robinson
 

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 Unanimous consent to introduce
 

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 Referred to Committee on Rules
 

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WHEREAS, foster care is a temporary solution for children who have been removed from their birth family homes due to neglect, abuse, abandonment, or other issues endangering their health or safety; and

WHEREAS, foster homes provide a safe, stable, temporary, and caring atmosphere for children placed in foster care; and

WHEREAS, the Department of Social Services is obligated by federal law to provide payments to foster parents to cover the basic needs of children placed in their care, including food, shelter, clothing, and school supplies; and

WHEREAS, inadequate payment rates can place burdens on foster parents or result in foster children not receiving necessary care; and

WHEREAS, low payment rates can also negatively impact recruitment and retention of foster parents and may result in more children moving from one short-term placement to another or being placed in expensive institutional care settings for lack of available foster homes; and

WHEREAS, a national research study prepared by Children's Rights, the National Foster Parent Association, and the University of Maryland School of Social Work has established Foster Care Minimum Adequate Rates for Children, also known as the Foster Care MARC, for all 50 states and the District of Columbia; and

WHEREAS, the Foster Care MARC represents the first-ever calculation of the real expenses of caring for children in foster care in each of the states; and

WHEREAS, the Commonwealth's foster care payment rates fall significantly below the Foster Care MARC rates and would need to be increased by up to 64 percent to meet the standard established by the Foster Care MARC; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to study adequacy of foster care payment rates in the Commonwealth.

In conducting its study, the Joint Legislative Audit and Review Commission shall (i) determine current foster care payment rates in the Commonwealth; (ii) determine the real cost to foster parents of caring for children in foster care; (iii) determine whether current foster care payment rates are adequate to cover the real cost of caring for children in foster care; (iv) if current foster care payment rates are insufficient to cover the real cost of caring for children in foster care in the Commonwealth, determine whether foster care payment rates would need to be increased to the amount identified by the Foster Care MARC or some other amount to cover the real cost of caring for children in foster care in the Commonwealth; and (v) if it is determined that foster care payment rates would have to be increased to cover the real cost of caring for children in foster care in the Commonwealth, determine the fiscal impact of increasing foster care payment rates to cover the full cost of caring for children in foster care in the Commonwealth.

Technical assistance shall be provided to the Joint Legislative Audit and Review Commission (JLARC) by the Department of Social Services. All agencies of the Commonwealth shall provide assistance to JLARC for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings for the first year by November 30, 2017, and for the second year by November 30, 2018, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether JLARC intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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