

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: S3/26/19
A Bill

HOUSE BILL 1469

By: Representative C. Fite

By: Senator Rice

For An Act To Be Entitled

AN ACT TO AMEND THE DEFINITION OF "FOSTER HOME" UNDER THE CHILD WELFARE AGENCY LICENSING ACT; TO AMEND THE LAW CONCERNING FOSTER HOMES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE DEFINITION OF "FOSTER HOME" UNDER THE CHILD WELFARE AGENCY LICENSING ACT; AND TO AMEND THE LAW CONCERNING FOSTER HOMES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 9-27-363(b)(2)(A), concerning foster youth transition, is amended to read as follows:

(A) The juvenile's right to stay in foster care after reaching eighteen (18) years of age for education, treatment, or work and specific programs and services, including without limitation the ~~John H. Chafee Foster Care Independence Program~~ John H. Chafee Foster Care Program for Successful Transition to Adulthood and other transitional services; and

SECTION 2. Arkansas Code § 9-28-114(b)(2)(A), concerning foster youth transition, is amended to read as follows:

(A) The juvenile's right to stay in foster care after reaching eighteen (18) years of age for education, treatment, or work and specific programs and services, including without limitation the ~~John H. Chafee Foster Care Independence Program~~ John H. Chafee Foster Care Program



for Successful Transition to Adulthood and other transitional services; and

SECTION 3. Arkansas Code § 9-28-402(14), concerning the definition of "foster home", is amended to read as follows:

(14)(A) ~~“Foster home” means a private residence of one (1) or more family members that receives from a child placement agency any child who is unattended by a parent or guardian in order to provide care, training, education, or supervision on a twenty four hour basis, not to include adoptive homes.~~ the home of an individual or family:

(i) That is licensed or approved as a foster home under the terms of this subchapter; and

(ii) Where a child in foster care is placed into the care of an individual who is licensed or approved to be a foster parent under this subchapter.

(B) “Foster home” does not include an adoptive home or a home suspended or closed by a child placement agency;

SECTION 4. Arkansas Code Title 9, Chapter 28, Subchapter 4, is amended to add an additional section to read as follows:

9-28-415. Foster home – Care requirements and limitations.

(a) A foster home shall:

(1) Provide substitute care within a family-like setting on a twenty-four-hour basis for any child placed in the home by a child placement agency;

(2) Adhere to the reasonable and prudent parent standard, as that standard is defined by Pub. L. No. 113-183, in the care of any child placed in the home by a child placement agency; and

(3) Be the primary residence of the individual or family that is owned, rented, sublet, or leased by the individual or family.

(b) A child placement agency may own and support the foster home if the foster home is the primary residence of the individual or family and the foster home meets all other licensing requirements under this subchapter.

(c) A foster home shall not provide care for more than six (6) children in foster care unless providing care for additional children will allow:

(1) A parenting youth in foster care to remain with his or her child;

(2) Siblings in foster care to remain together;

(3) A child with an established meaningful relationship with a family to remain with the family; or

(4) A family with special training or skills to provide care to a child who has a severe disability.

/s/C. Fite

APPROVED: 4/3/19