

HOUSE No. 3906

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 24, 2014.

The committee on Children, Families and Persons with Disabilities to whom were referred the petition (accompanied by bill, House, No. 116) of Kay Khan, Marcos A. Devers and Stanley C. Rosenberg relative to state agency assessment for safe and appropriate placement for certain children, reports recommending that the accompanying bill (House, No. 3906) ought to pass.

For the committee,

KAY KHAN.

HOUSE No. 3906

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to state agency assessment for safe and appropriate placement for certain children.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 18A of the General Laws is hereby amended by adding the
2 following section:-

3 Section 10. (a) The department, pursuant to its services provided in this chapter and in
4 cooperation with the department of children and families, in said department of children and
5 families' provision of and administration of a comprehensive child welfare program for care for
6 a child in out-of-home placement, who has been adjudicated delinquent for a sexual offense or
7 the commission of arson, or a child who has admitted to such behavior, or is the subject of a
8 documented or substantiated report of such behavior, shall adhere to the assessment for safe and
9 appropriate placement process, hereinafter referred to as ASAP.

10 (b) In using said ASAP the department shall: (i) cooperate with the department of
11 children and families in the design and implementation of an ASAP process; (ii) consult with
12 subject-matter experts to revise the screening, referral and risk assessment guidelines based on
13 evidence-based practices; (iii) create a process for keeping the ASAP process current with
14 evolving evidence-based practice standards; and (iv) ensure that all staff with responsibilities for
15 the safety of children in foster care or other out-of-home placements are informed about the
16 process and have training in how to make referrals and incorporate risk-assessment and risk-
17 management results into their case management and treatment planning. In partnership with the
18 department, the Massachusetts Adolescent Sex Offender Coalition and the Juvenile Firesetters
19 Coalition shall provide training to staff on the updated screening and assessment procedures for
20 supporting decisions for safe placements.

21 SECTION 2. Section 2 of chapter 18B of the General Laws, as appearing in the 2012
22 Official Edition, is hereby amended by striking out, in lines 31 to 33, inclusive, the words "and

(17) child care placements for children whose families have an open case with the department,” and inserting in place thereof the following words:- ; “(17) child care placements for children whose families have an open case with the department; and (18) coordination with other state agencies on the use of an assessment process for safe and appropriate placement for out-of-home placement or foster care for a child who has been adjudicated delinquent for a sexual offense or the commission of arson, or has admitted to such behavior, or is the subject of a documented or substantiated report of such behavior.”

SECTION 3. Chapter 19 of the General Laws is hereby amended by adding the following section:-

Section 25. (a) The department, pursuant to its services provided to children and in cooperation with the department of children and families, in said department of children and families’ provision of and administration of a comprehensive child welfare program for a child, who has been adjudicated delinquent for a sexual offense or the commission of arson, or a child who has admitted to such behavior, or is the subject of a documented or substantiated report of such behavior, shall use the assessment for safe and appropriate placement process, hereinafter referred to as ASAP.

(b) In using said ASAP the department shall: (i) cooperate with the department of children and families in the design and implementation of an ASAP process; (ii) consult with subject-matter experts to revise the screening, referral and risk assessment guidelines based on evidence-based practices; (iii) create a process for keeping the ASAP process current with evolving evidence-based practice standards; and (iv) ensure that all staff with responsibilities for the safety of children in foster care or other out-of-home placements are informed about the process and have training in how to make referrals and incorporate risk-assessment and risk-management results into their case management and treatment planning. In partnership with the department, the Massachusetts Adolescent Sex Offender Coalition and the Juvenile Firesetters Coalition shall provide training to staff on the updated screening and assessment procedures for supporting decisions for safe placements.

SECTION 4. Chapter 19B of the General Laws is hereby amended by inserting after section 13, the following section:-

Section 13A. (a) The department, pursuant to its services provided in this chapter and in cooperation with the department of children and families, in said department of children and families’ provision of and administration of a comprehensive child welfare program for foster care for a child who has been adjudicated delinquent for a sexual offense or the commission of arson, or a child who has admitted to such behavior, or is the subject of a documented or substantiated report of such behavior, shall adhere to the assessment for safe and appropriate placement process, hereinafter referred to as ASAP.

(b) In using said ASAP the department shall (i) cooperate with the department of children and families in the design and implementation of an ASAP process; (ii) consult with subject-matter experts to revise the screening, referral and risk assessment guidelines based on evidence-based practices; (iii) create a process for keeping the ASAP process current with evolving evidence-based practice standards; and (iv) ensure that all staff with responsibilities for the safety of children in foster care or other out-of-home placements are informed about the process and have training in how to make referrals and incorporate risk-assessment and risk-management results into their case management and treatment planning. In partnership with the department, the Massachusetts Adolescent Sex Offender Coalition and the Juvenile Firesetters Coalition shall provide training to staff on the updated screening and assessment procedures for supporting decisions for safe placements.