HOUSE DOCKET, NO. 1030 FILED ON: 1/15/2013

HOUSE . . . . . No. 116

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kay Khan	*11th Middlesex*
Marcos A. Devers	*16th Essex*
Stanley C. Rosenberg	*Hampshire, Franklin and Worcester*

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HOUSE . . . . . No. 116

By Ms. Khan of Newton, a 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 . Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

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:

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

Section 10. (a) The department shall, 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 for a comprehensive child welfare program for care for a child in out-of-home placement, 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, 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 practice; (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 screening and assessment procedures for supporting decisions for safe placements.

21 SECTION 2. Section 2 of chapter 18B of the General Laws, as appearing in the 2010
22 Official Edition, is hereby amended by striking out, in lines 31 to 33, inclusive, the words "and
23 (17) child care placements for children whose families have an open case with the department,"
24 and inserting in place thereof the following words:- ; (17) child care placements for children
25 whose families have an open case with the department; and (18) coordination with other state
26 agencies on the use of an assessment process for safe and appropriate placement for out-of-home
27 placement or foster care for a child, who has been adjudicated delinquent for a sexual offense or
28 the commission of arson, or has admitted to such behavior, or is the subject of a documented or
29 substantiated report of such behavior.

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

32 Section 25. (a) The department shall, pursuant to its services provided in section 16 to
33 children and in cooperation with the department of children and families, in said department of
34 children and families' provision of and administration for a comprehensive child welfare
35 program for a child, who has been adjudicated delinquent for a sexual offense or the commission
36 of arson, or has admitted to such behavior, or is the subject of a documented or substantiated
37 report of such behavior, use an assessment for safe and appropriate placement process,
38 hereinafter referred to as ASAP.

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

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

52 Section 13A. (a) The department shall, pursuant to its services provided in this chapter
53 and in cooperation with the department of children and families, in said department of children
54 and families' provision of and administration for a comprehensive child welfare program for
55 foster care for a child, who has been adjudicated delinquent for a sexual offense or the
56 commission of arson, or has admitted to such behavior, or is the subject of a documented or

57 substantiated report of such behavior, adhere to the ASAP process, hereinafter referred to as
58 ASAP.

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