

1                                   **CHILD WELFARE FUNDING FOR IN-HOME**  
2   **SERVICES**

3   2004 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Mike Thompson**

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7   **LONG TITLE**

8   **General Description:**

9                   This bill amends Child and Family Services.

10 **Highlighted Provisions:**

11                  This bill:

12                  ▶ requires the Division of Child and Family Services to seek funding for in-home  
13 services to prevent the removal of children from their homes and promote the  
14 preservation of families.

15 **Monies Appropriated in this Bill:**

16                  None

17 **Other Special Clauses:**

18                  None

19 **Utah Code Sections Affected:**

20 AMENDS:

21                  **62A-4a-202**, as last amended by Chapter 94, Laws of Utah 2003

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23 *Be it enacted by the Legislature of the state of Utah:*

24                  Section 1. Section **62A-4a-202** is amended to read:

25                  **62A-4a-202. Preventive services -- Family preservation services.**

26                  (1) (a) Within appropriations from the Legislature and monies obtained under  
27 Subsection (5), the division shall provide preventive, in-home services and family preservation



28 services for families whose children are at immediate risk of being removed from the home and  
29 for families in crisis, if:

- 30 (i) the child's welfare is not immediately endangered; and
- 31 (ii) the division determines that it is possible and appropriate.

32 (b) In determining whether preventive or family preservation services are reasonable  
33 and appropriate, in keeping with the provisions of Subsection 62A-4a-201(1) the child's health,  
34 safety, and welfare shall be the paramount concern. The division shall consider whether those  
35 services will be effective within a six-month period, and whether they are likely to prevent  
36 reabuse or continued neglect of the child.

37 (2) The division shall maintain a statewide inventory of early intervention, preventive,  
38 and family preservation services available through public and private agencies or individuals  
39 for use by caseworkers. The inventory shall include:

- 40 (a) the method of accessing each service;
- 41 (b) eligibility requirements for each service; and
- 42 (c) the geographic areas and the number of families that can be served by each service,  
43 and information regarding waiting lists for each service.

44 (3) As a part of its preventive services, the division shall provide family preservation  
45 services that are short-term, intensive, crisis intervention programs, and that address:

- 46 (a) the safety of children;
- 47 (b) the physical and emotional needs of parents and children~~[- the division shall also~~  
48 ~~evaluate], including evaluating~~ specific needs of the family, including depression, addiction,  
49 and mental illness;

50 (c) the child's physical surroundings, including cleaning and repairing physical  
51 housing, and addressing needs for necessities such as food, heat, and electricity;

52 (d) personal cleanliness, nutrition, and provision of personal grooming supplies and  
53 clothing;

54 (e) budgeting, money management, and employment; and

55 (f) parenting skills, including nonviolent discipline, nurturing, and structure, and  
56 teaching responsibility, respect for others, cooperation, and moral values.

57 (4) (a) The division may use only specially trained caseworkers or private providers to  
58 provide the family preservation services described in Subsection (3).

59 (b) Family preservation caseworkers may only be assigned a minimum number of  
60 families, but the division shall require that they be available 24 hours for an intensive period of  
61 at least six weeks, and that they respond to an assigned family within 24 hours.

62 (c) The division shall allow family preservation caseworkers to be creative and flexible  
63 in responding to the needs of each individual family.

64 (5) To provide, expand, and improve the delivery of in-home services to prevent the  
65 removal of children from their homes and promote the preservation of families, the division  
66 shall make every effort to obtain funding, including:

67 (a) federal grants;

68 (b) federal waivers; and

69 (c) private monies.

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**Legislative Review Note**  
as of 1-22-04 5:47 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0120**

**Child Welfare Funding for In-Home Services**

*05-Feb-04*

*4:21 PM*

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**State Impact**

No significant fiscal impact, although the Division of Child and Family Services could realize additional non-state funds for its family preservation services.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**