



AMENDMENT #3

OFFERED IN THE HOUSE
TO: CSHB 408(FIN)

BY REPRESENTATIVE CISSNA

1 Page 1, line 1, following "Act":

2 Insert "**relating to intensive family preservation and reunification services;**"

3

4 Page 1, following line 7:

5 Insert new bill sections to read:

6 **"* Section 1.** AS 47.10.080(*l*) is amended to read:

7 (*l*) Within 12 months after the date a child enters foster care as calculated
8 under AS 47.10.088(f), the court shall hold a permanency hearing. The hearing and
9 permanent plan developed in the hearing are governed by the following provisions:

10 (1) the persons entitled to be heard under AS 47.10.070 or under (f) of
11 this section are also entitled to be heard at the hearing held under this subsection;

12 (2) when establishing the permanent plan for the child, the court shall
13 make appropriate written findings, including findings related to whether

14 (A) and when the child should be returned to the parent or
15 guardian;

16 (B) the child should be placed for adoption or legal
17 guardianship and whether a petition for termination of parental rights should be
18 filed by the department; and

19 (C) the child should be placed in another planned, permanent
20 living arrangement and what steps are necessary to achieve the new
21 arrangement;

22 (3) if the court is unable to make a finding required under (2) of this
23 subsection, the court shall hold another hearing within a reasonable period of time;

1 (4) in addition to the findings required by (2) of this subsection, the
2 court shall also make appropriate written findings related to

3 (A) whether the department has made the reasonable efforts
4 required under AS 47.10.086 to offer appropriate family support services,
5 available intensive family preservation services, or intensive family
6 reunification services to remedy the parent's or guardian's conduct or
7 conditions in the home that made the child a child in need of aid under this
8 chapter;

9 (B) whether the parent or guardian has made substantial
10 progress to remedy the parent's or guardian's conduct or conditions in the home
11 that made the child a child in need of aid under this chapter;

12 (C) if the permanent plan is for the child to remain in out-of-
13 home care [OUT-OF-HOME-CARE], whether the child's out-of-home
14 placement continues to be appropriate and in the best interests of the child; and

15 (D) whether the department has made reasonable efforts to
16 finalize the permanent plan for the child;

17 (5) the court shall hold a hearing to review the permanent plan at least
18 annually until successful implementation of the plan; if the plan approved by the court
19 changes after the hearing, the department shall promptly apply to the court for another
20 permanency hearing, and the court shall conduct the hearing within 30 days after
21 application by the department.

22 * Sec. 2. AS 47.10.086(a) is amended to read:

23 (a) Except as provided in (b) and (c) of this section, the department shall make
24 timely, reasonable efforts to provide family support services to the child and to the
25 parents or guardian of the child that are designed to prevent out-of-home placement of
26 the child or to enable the safe return of the child to the family home, when appropriate,
27 if the child is in an out-of-home placement. Within appropriations available for the
28 purpose, the department shall also make reasonable efforts to refer a child for
29 intensive family preservation services, or intensive family reunification services,
30 or both, when those services are available and, if the child is in the home, the
31 child's safety in the home can be maintained during the time the services are

1 **provided.** The department's duty to make reasonable efforts under this subsection **to**
 2 **provide family support services** includes the duty to

3 (1) identify family support services that will assist the parent or
 4 guardian in remedying the conduct or conditions in the home that made the child a
 5 child in need of aid;

6 (2) actively offer the parent or guardian, and refer the parent or
 7 guardian to, the **family support** services identified under (1) of this subsection; the
 8 department shall refer the parent or guardian to community-based family support
 9 services whenever community-based services are available and desired by the parent
 10 or guardian; and

11 (3) document the department's actions that are taken under [(1) AND
 12 (2) OF] this subsection, **including whether intensive family preservation services**
 13 **or intensive family reunification services, or both, were appropriate, offered,**
 14 **used, or available.**"

15
 16 Page 1, line 8:

17 Delete "Section 1"

18 Insert "Sec. 3"

19
 20 Renumber the following bill sections accordingly.

21
 22 Page 6, line 20:

23 Delete "Sections 1 - 3"

24 Insert "Sections 3 - 5"

25
 26 Page 6, line 27:

27 Delete "SECS. 1 - 3"

28 Insert "SECS. 3 - 5"

29 Delete "Sections 1 - 3"

30 Insert "Sections 3 - 5"

31

- 1 Page 7, line 2:
- 2 Delete "Sections 1 - 3"
- 3 Insert "Sections 3 - 5"
- 4 Delete "sec. 9"
- 5 Insert "sec. 11"