

Committee on Children, Families, and Elder Affairs

HB 281 — Incarcerated Parents

by Rep. Williams and Daniels and others (CS/SB 522 by Rules Committee; and Senator Bean)

HB 281 (Chapter 2018-45, L.O.F.) requires that the Department of Children and Families (DCF) include incarcerated parents of dependent children in the case planning process. Case planning is required by law when a child is removed from his or her home due to abuse or neglect. Based on input from all parties, DCF and the community based care lead agency prepare a written document called a case plan for each child dependency case. Community based care agencies are regional, private entities that provide or contract for child welfare services for dependent children. The case planning process determines the ultimate goal for the child's permanent living arrangement, known as the permanency goal, and the steps the parents must take such as completing certain tasks or receiving certain services. These tasks must be completed by a certain date to achieve the child's permanency goal. When a parent is incarcerated, completing the case plan is more difficult.

The bill intends to improve the ability of incarcerated parents to complete case plans by requiring DCF to:

- Consider any limitations posed by the correctional facility where the parent is incarcerated when developing case plans;
- Determine what services and resources may be available to incarcerated parents and, if reunification with a child is the goal, proactively assist the parent in arranging for services from within jail or prison. If reunification is not the goal, DCF must still include a list of services available from the jail or prison in the case plan; and
- Amend existing case plans when a parent is incarcerated or released from confinement.

The incarcerated parent is responsible for complying with the case plan as well as meeting the requirements of his or her correctional facility.

These provisions were approved by the Governor and take effect July 1, 2018.

Vote: Senate 36-0; House 112-0