

HOUSE BILL No. 1113

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-28-7.

Synopsis: Foster parent bill of rights. Requires the department of child services (department) to create and make available to a foster parent a bill of rights (bill of rights) for foster parents. Provides information that must be included in a bill of rights developed by the department. Requires the department to distribute the bill of rights annually and upon request. Requires the department to make the bill of rights available on the department's Internet web site.

Effective: July 1, 2018.

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January 4, 2018, read first time and referred to Committee on Family, Children and Human Affairs.



Second Regular Session of the 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

HOUSE BILL No. 1113

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-28-7 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2018]:
4 **Chapter 7. Foster Parent Rights**
5 **Sec. 1. The department shall create and make available to a**
6 **foster parent a bill of rights for foster parents that includes the**
7 **following information:**
8 (1) **The right to be treated with dignity, respect, and**
9 **consideration as a professional member of the child welfare**
10 **team.**
11 (2) **The right to be provided with standardized preservice**
12 **training and appropriate ongoing training to:**
13 (A) **meet mutually assessed needs;**
14 (B) **keep apprised of changes in department policies and**
15 **procedures; and**
16 (C) **continue to improve the foster parent's ability to be an**
17 **effective member of the child welfare team.**



- 1 (3) The right to be informed on how to contact the
2 appropriate child placing agency or the department in order
3 to receive information and assistance in accessing support
4 services for a child placed with the foster parent.
5 (4) The right to:
6 (A) receive information concerning costs to the foster
7 parent that may be eligible for reimbursement; and
8 (B) receive timely financial reimbursement from the
9 department.
10 (5) The right to be provided information about the
11 department's plan concerning a child's placement in the
12 family foster home.
13 (6) The right to:
14 (A) receive notice of an enforcement action; and
15 (B) request an administrative hearing concerning a
16 decision by the department to impose a sanction;
17 under IC 31-27-4.
18 (7) The right to receive additional or necessary information
19 that is relevant to the care of a child at any time the child is
20 placed with the foster parent.
21 (8) The right to request that the department permit a child
22 who is placed with the foster parent to have visitation with the
23 child's sibling if the child or the child's sibling, or both,
24 receive foster care under IC 31-28-5-3.
25 (9) The right to receive notice of:
26 (A) a collaborative care agreement review hearing;
27 (B) a detention hearing;
28 (C) an initial hearing and any additional initial hearing;
29 (D) a factfinding hearing;
30 (E) a dispositional hearing;
31 (F) a periodic case review hearing, including a case review
32 that is a permanency hearing; or
33 (G) a hearing on a petition or motion for termination of
34 parental rights;
35 concerning a child who has been placed with the foster parent.
36 (10) The right to cooperate with the department in the
37 development of a case plan for a child concerning:
38 (A) rehabilitation of the child and the child's parents,
39 guardians, and custodians;
40 (B) visitation arrangements; and
41 (C) services required to meet the special needs of the child.
42 (11) The right to be given a fair opportunity to controvert any



1 part of a predispositional report admitted into evidence if the
2 foster parent is entitled to notice of the dispositional hearing.

3 (12) The right to have the juvenile court consider the foster
4 parent's recommendations for the needs of the child for care,
5 treatment, rehabilitation, or placement before entering a
6 dispositional decree or a modification to a dispositional decree
7 in a child in need of services proceeding.

8 (13) The right to petition the court to request intervention as
9 a party to a child in need of services proceeding.

10 (14) The right to be consulted by the department concerning
11 the progress made by a child who is placed with the foster
12 parent.

13 (15) The right to receive a report prepared by the state
14 concerning a child placed with the foster parent.

15 (16) The right to be considered as a placement option when
16 the department is attempting to find placement for a child
17 who was previously placed with the foster parent.

18 **Sec. 2.** The department shall make the bill of rights for foster
19 parents available on the department's Internet web site.

20 **Sec. 3.** The department shall provide a foster parent a copy of
21 the bill of rights for foster parents:

22 (1) annually; and

23 (2) upon request.

