The Senate Women's Issues, Children and Family Services Committee reports favorably the Senate Committee Substitute for Senate Bill No. 2056.

This substitute, the "Foster Parent Licensing Act," requires the Division of Youth and Family Services (DYFS) to license all foster parents providing care to children who have been temporarily placed outside their homes by DYFS or other agencies authorized to place children in the State. Currently DYFS certifies foster parents who provide care to children in need of temporary out-of-home placement who are under the care and custody of DYFS.

Under the provisions of the substitute, a foster parent applicant or foster parent, as applicable, shall:

- apply to DYFS for a license and complete the application form;
- be of good moral character;
- provide written consent for DYFS to conduct a child abuse record information check pursuant to N.J.S.A.9:6-8.11 on the applicant and any adult member of the applicant's household;
- immediately notify DYFS when a new adult becomes a resident of the household in order to ensure that criminal history record background and DYFS child abuse record information checks are conducted on the new adult household member;
- participate in pre-service training as a condition of securing a license; and
- participate in a minimum of 14 hours of in-service training every two years.

The substitute authorizes DYFS to:

- conduct child abuse record information checks to determine if an incident of child abuse or neglect has been substantiated pursuant to N.J.S.A.9:6-8.11, against a foster parent applicant or any adult member of the applicant's household. If an incident of child abuse or neglect has been substantiated against the applicant or adult household member or the applicant or adult household member refuses to consent to, or cooperate in, the securing of the child abuse record information
check, DYFS shall deny the license, unless DYFS determines that there is no continuing risk of harm and the issuance of the license is in the child's best interest; and

conduct an annual on-site inspection of a foster home and evaluate the home to determine whether it complies with the provisions of the substitute.

If the person meets the requirements of the substitute, DYFS shall issue a license to an applicant. The license shall be valid for three years, provided that the foster parent continues to comply with the licensing requirements. DYFS shall also determine whether a license shall be renewed based upon the results of the annual on-site inspection and evaluation of the foster home. If the inspection and evaluation indicates full or substantial compliance with the provisions of the substitute, DYFS shall renew the license.

The substitute also authorizes the department to conduct a criminal history record background check pursuant to N.J.S.A.30:4C-26.8 on a foster parent applicant and any adult member residing in the applicant's household. If the applicant or adult household member has been convicted of any crime enumerated in N.J.S.A.30:4C-26.8 or refuses to consent to, or cooperate in, the securing of the criminal history record background information, DYFS shall deny the license.

To ensure that the criminal history record background check information is kept current, the substitute provides that the Division of State Police shall promptly notify DYFS in the event a foster parent or any adult member of the household is convicted of a crime or offense in this State after the date the background check was performed. Upon receipt of such notification, DYFS shall make a determination on whether to suspend or revoke the foster parent's license.

This substitute does not require foster parents who were certified by DYFS on or prior to the effective date of this substitute to immediately obtain licenses, but provides, instead, that they may continue to provide foster care to a child until DYFS conducts an on-site inspection and reevaluation of the foster parent's home, no later than two years following the date of the home's last certification inspection and reevaluation, to determine whether the home complies with the provisions of the substitute. If the on-site inspection and reevaluation indicate the foster home's full or substantial compliance with the provisions of the substitute, DYFS shall issue a license to the foster parent.

A foster parent who was not certified by DYFS on or prior to the effective date of the substitute shall apply to DYFS for a license within 90 days of the effective date of the substitute and may continue to provide foster care to a child until DYFS conducts an on-site inspection and evaluation of the foster parent's home to determine whether the home complies with the provisions of the substitute. If the on-site inspection and evaluation indicate the foster home's full or
substantial compliance with the provisions of the substitute, DYFS shall issue a license to the foster parent.

Finally, the substitute requires the commissioner to report to the Governor and the Legislature no later than six months after the effective date of the substitute in an interim report, and no later than 12 months after the effective date of the substitute in a final report, on the provisions of the substitute, including information on the number of licenses that were approved, denied, suspended or revoked.

This substitute is identical to Assembly Bill No. 3119 (1R) SCA, which the committee also reported on this date.