

Date of Hearing: March 25, 2025

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 689 (Blanca Rubio) – As Introduced February 14, 2025

SUBJECT: Foster youth: disaster aid assistance

SUMMARY: Creates the Child Welfare Disaster Response Program (Program) to support the needs of foster youth and their caregivers during a disaster. Specifically, **this bill:**

- 1) Creates the Program, to be administered by the California Department of Social Services (CDSS) and creates the Child Welfare Disaster Response Account (Account) to fund the Program.
- 2) Allocates, upon appropriation, \$2 million from the General Fund to the Account for purposes of the Program and to support the needs of foster youth and their caregivers during a disaster.
- 3) Requires CDSS to determine eligibility criteria for the allocation of funds to applicants.
- 4) Permits county child welfare departments to apply for funds.
- 5) Requires funds awarded to be available to meet the housing, clothing, transportation, and other tangible needs of foster youth and their caregivers that occur within 180 days of a local emergency proclamation by a local government or a state of emergency proclamation by the Governor.
- 6) States that legislative intent that the Account may be replenished at the start of every fiscal year.
- 7) Permits gifts, donations, and bequests to be made to the Account, subject to any conditions or restrictions from CDSS.

EXISTING LAW:

- 1) Establishes a state and local system of child welfare services, including foster care, for children who have been adjudged by the court to be at risk of abuse and neglect or who have been abused or neglected. (Welfare and Institutions Code [WIC] § 202 *et seq.*)
- 2) Establishes a system of juvenile dependency for children for specified reasons, and designates that a child who meets certain criteria is within the jurisdiction of the juvenile court and may be adjudged as a dependent child of the court. (WIC § 300 *et seq.*)
- 3) Requires, if a child is adjudged a dependent child of the court, and the court orders that a parent shall retain custody of the child subject to the supervision of the social worker, the parents to participate in child welfare services or services provided by an appropriate agency designated by the court. (WIC § 362(c))
- 4) Requires every hearing in which an order is made placing a child under the supervision of the juvenile court pursuant to WIC § 300, and in which the child is not removed from the

physical custody of their parent, to be continued to a specific future date not to exceed six months after the date of the original dispositional hearing. (WIC § 364(a))

- 5) Empowers the Governor to proclaim a state of emergency in an area affected or likely to be affected thereby when requested to do so by local government officials, or if the Governor finds that local authority is inadequate to cope with the emergency. Requires the Governor to proclaim the termination of the state of emergency at the earliest possible date that conditions warrant. (Government Code § 8625 and 8629)

FISCAL EFFECT: Unknown, this bill has not been analyzed by a fiscal committee.

COMMENTS:

Background: *Child Welfare Services (CWS).* California's CWS system was established with the goal of protecting youth from abuse and neglect and is designed to provide safety, health, and overall well-being of children. When a child is identified as being at risk of abuse or neglect, reports can be made to either law enforcement or a county child welfare agency. Often, these reports are submitted by mandated reporters who are legally required to report suspicion of child abuse or neglect due to their profession, such as a teacher or healthcare provider.

California's CWS programs are administered by the 58 individual counties with each county organizing and operating its own program of child protection based on local needs while adhering to state and federal regulations. When a child welfare case is open, counties are the primary governmental entity interacting with children and families when addressing issues of child abuse and neglect, and are responsible, either directly or through providers, for obtaining or providing the interventions and relevant services to protect children and assist families with issues related to child abuse and neglect.

CDSS secures federal funding to support CWS programs, provides statewide best practices training for social workers, and conducts program regulatory oversight and administration, and is responsible for the development of policy while also providing direct services such as adoption placements.

As of October 1, 2024, there are 40,165 youth between birth and 20 years of age in foster care.

Disaster Services. CDSS currently supports counties' mass care and shelter programs, as well as state and federal grant recovery programs. CDSS also supports local agencies to provide temporary shelter for those experiencing a disaster or emergency. The shelters are typically opened and operated by the American Red Cross and have assistance from local or county employees. During emergencies or disasters, Regional Emergency Operations Centers are used as a coordination hub and are managed by the California Governor's Office of Emergency Services (CalOES). California has three Regional Emergency Operation Centers which are located in the Inland, Coastal, and Southern regions of the state. CDSS staff is permitted to deploy to one or all of the three Regional Emergency Operations Centers at the request of CalOES in situations involving mass care, sheltering, or other human services functions that fall under CDSS' expertise.

CalOES serves as California's overall coordinator and agent to secure federal government resources through the Federal Emergency Management Agency (FEMA) and responds, directs, and coordinates state and federal resources across the state during all major emergencies and

disasters. CalOES also supports local jurisdictions and communities through planning and preparedness activities, training, and facilitating the immediate response to an emergency through the longer-term recovery phase. Once activated by CalOES, CDSS staff assist in the mass care and shelter function by: tracking shelter status and feeding services; coordinating state resources; and supporting the American Red Cross in sheltering operations.

CDSS is also authorized to provide grant assistance through the Individuals and Households Program (IHP) and the State Supplemental Grant Program (SSGP). The IHP is a joint federal and state program that can provide assistance following a disaster declared by the President. Under IHP, FEMA is authorized to provide awards in the form of rent, home repair or replacement, transportation repair or replacement, funeral expenses, personal property, medical, dental or other miscellaneous expenses. According to CDSS, FEMA disaster assistance covers basic needs, but does not normally compensate disaster victims for their entire loss. The SSGP is 100% state-funded and is authorized to provide grant funds to assist people who have suffered damage in a disaster area declared by the President when the federal assistance to IHP is implemented. The grants are designed to assist with any eligible items not already addressed by the IHP and in order to be eligible for SSGP, recipients are required to have first applied to FEMA and maximized the IHP award.

This bill would add to the array of grants and programs that direct resources to vulnerable populations affected by disasters by creating a program to specifically support the needs of foster youth and their caregivers during a disaster. The Program will allow counties to apply for funds to meet the housing, clothing, transportation, and other tangible needs of foster youth and their caregivers that occur within 180 days of a local emergency proclamation by a local government or a state of emergency proclamation by the Governor.

Recent Disasters. With an increase in climate-change related events, communities throughout California are impacted. The list of recent Governor-proclaimed disasters in California include severe winter storms, drought, floods, earthquakes, and fires. The impact of the recent fires in Los Angeles in January of 2025 is still being felt, as the affected communities try to rebuild. The fires burned over 57,000 acres of land and destroyed more than 18,000 homes and structures. According to CDSS' Disaster Planning and Response Unit, they have daily communication and report outs with Los Angeles County on the impacted youth from the wildfire incidents.

According to CDSS, Los Angeles County had 442 child welfare/probation-supervised youth and 401 Los Angeles County employees that were initially impacted by these wildfire incidents. Additionally, 20 children are confirmed as impacted due to 13 homes/facilities burning down.

The Camp Fire, which in 2018 burned over 150,000 acres and destroyed more than 18,000 structures in Butte County, forced thousands of families to evacuate their homes. As a result, displaced people were forced to stay in shelters, hotels or tents, and parking lots, with many having no access to clothing or food beyond what they brought with them.

According to Youth for Change and Youth and Family Programs, the Camp Fire displaced about 30 of the county's 500 foster youth. Regulations require resource families to seek approval from their social worker should they live more than two hours from their agency or cohabitate with other people, even in an emergency, which limits many families' ability to immediately move out of the area where there may be more resources. Due to these limitations, having access to

immediate assistance during a disaster becomes an acute necessity for resource families who house foster youth.

Author’s Statement: According to the Author, [This bill] would establish a statewide Child Welfare Disaster Response Fund to ensure resources are immediately available to meet the urgent needs of children and youth in foster care and their caregivers in the aftermath of a natural disaster such as a fire, flood or earthquake. While the state is legally responsible for meeting the needs of children and youth in foster care, they rarely receive the funding needed to cover extra, unexpected costs that occur in the wake of a natural disaster, including the replacement of lost clothing, food and essential belongings, securing temporary housing, or travel to and from a temporary home to appointments and school. While everyone struggles in the face of natural disasters, children and youth in foster care and their caregivers deal with a unique set of challenges after an emergency and the state should ensure resources are immediately available post-disaster to reduce additional trauma and minimize further disruptions.”

Equity Implications: Youth in foster care have not only experienced the trauma of abuse or neglect, but trauma related to removal from their homes and communities. Early childhood trauma, as well as the trauma of system-involvement often lead to inequities and poor educational and employment outcomes. Natural disasters can compound their trauma and further de-stabilize families who may have lost their housing as result. Losing housing is a traumatic event for any family to experience and can be particularly acute for when foster families are evacuated or displaced. There are challenges in maintaining stability and minimizing further disruptions for foster youth. *This bill* attempts to mitigate these challenges, by ensuring foster youth and their caregivers will have access to dedicated resources to help them survive and rebuild in the event they are impacted by a natural disaster.

RELATED AND PRIOR LEGISLATION:

SB 589 (Alvarado-Gil) of 2023, was identical to this bill. *SB 589 was held on the Assembly Appropriations Committee suspense file.*

AB 1034 (Friedman) of 2019, would have required every facility of each of the following to have an emergency and disaster plans: community care facilities that serve children or nonminor dependents, resource families, certified or licensed foster family homes, small family homes, community care facilities that serve adults, residential care facilities for persons with chronic life-threatening illness, and child care centers. AB 1034 would have also required the Community Care Licensing Division within CDSS to confirm during annual licensing visits that a plan is on file at the facility and includes the required content. *AB 1034 was held on the Assembly Appropriations Committee suspense file.*

AB 3098 (Friedman), Chapter 348, Statutes of 2018, required residential care facilities for the elderly (RCFEs) to have detailed emergency and disaster plans and to provide training on the plan to staff.

AB 749 (Wolk), Chapter 477, Statutes of 2008, required RCFEs licensed by CDSS to have a specified emergency plan available to residents and local emergency responders and, further, required CDSS to confirm during licensing visits that the plan is on file at the facility.

AB 2101 (Wolk) of 2008, would have required RCFEs to develop emergency plans and makes specific requirements for providing notices to residents and potential residents in the event of rate increases. *AB 2101 was held on the Assembly Appropriations Committee suspense file.*

REGISTERED SUPPORT / OPPOSITION:**Support**

California Alliance of Caregivers (Co-Sponsor)
Children Now (Co-Sponsor)
Aspiranet
California Alliance of Child and Family Services
California Behavioral Health Association
California Family Resource Association
Center for Public Interest Law/children's Advocacy Institute/university of San Diego
Child Abuse Prevention Center and Its Affiliates Safe Kids California, Prevent Child Abuse
California and The California Family Resource Association
Children's Law Center of California
County Welfare Directors Association of California
First Place for Youth
Good River Partners
John Burton Advocates for Youth
Public Counsel
Safe & Sound
Youth Law Center

Opposition

None on file.

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