

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 2684 (Nguyen) – As Amended March 19, 2026

SUBJECT: Juveniles: nonminor dependents: out-of-state placement: visitation

SUMMARY: Allows specified nonminor dependents (NMDs) who are placed out of state the option to have their monthly visit with their social worker or probation officer (caseworker) virtually rather than in-person. Requires the California Department of Social Services (CDSS) to convene a working group to develop guidelines related to NMDs who are placed out of state and to convene stakeholders to develop best practices in casework. Specifically, **this bill:**

- 1) Requires a caseworker to allow NMDs who are placed out of state the option to have their monthly visit through a virtual visit, defined as a real-time audiovisual interaction between the social worker or probation officer and the NMD.
- 2) Specifies these provisions shall not apply to an NMD placed in an out-of-state residential facility.
- 3) Requires the caseworker to, at a minimum, conduct a quarterly in-person visit with the NMD.
- 4) Authorizes a virtual visit to occur if the NMD provides informed consent to meet with the caseworker through a virtual visit and requires the virtual visit and NMD consent to be documented by the caseworker in the case plan.
- 5) Requires the virtual visit to include a private discussion between the NMD and the caseworker that is not conducted in the presence or immediate vicinity of a foster parent or caregiver, unless the NMD requests otherwise. Prohibits the contents of the private discussion from being disclosed to a foster parent or caregiver, except that the caseworker may disclose information under any of the following circumstances:
 - a) The caseworker believes that the NMD may be in danger of harming themselves or others;
 - b) The caseworker believes that disclosure is necessary to meet the needs of the NMD; or,
 - c) The NMD consents to disclosure of the information.
- 6) Requires virtual visits to include video capability for both the caseworker and NMD. Requires, if there is an unforeseen technical issue that prevents the video feed from functioning on the day of the virtual visit, that the caseworker make a second attempt within two business days.
- 7) Requires the location of monthly visits for each NMD who is placed out of state by a county agency to comply with existing federal requirements as described in existing law 6) below, including virtual visits. Requires, if the visit does not occur in the place of residence, including through a virtual visit, the caseworker to document in the case file and in the court

report the location of the visit and the reason for the visit occurring outside the place of residence.

- 8) Requires, if the NMD makes a request to change a planned virtual visit to an in-person visit at least five business days prior to the scheduled visit, the caseworker to perform an in-person visit instead of the planned virtual visit. Requires the caseworker to accommodate the request for an in-person visit as soon as possible and may consult with their supervisor to ensure timely arrangements, including assigning another caseworker if necessary to complete the in-person visit.
- 9) Specifies that nothing in these provisions shall be construed to limit the NMD's right to request an in-person visit at any time.
- 10) Authorizes the caseworker to shift a virtual visit to an in-person visit if the caseworker has any concerns regarding the safety or well-being of the NMD. Requires the rationale for the change to be explained to the NMD and to be clearly documented in the case plan.
- 11) Stipulates these provisions shall be implemented only to the extent permitted by federal law and shall not be construed to reduce the percentage of required in-residence visits for purposes of federal compliance under federal law.
- 12) Requires CDSS, no later than July 1, 2027, to convene a working group to develop guidelines for county placing agencies and attorneys representing NMDs related to engaging and supporting NMDs who are placed out of state.
- 13) Requires the guidelines to be developed with input from stakeholders, including youth with lived experience, developmental experts, attorneys representing youth in foster care between 14 and 21 years of age, representatives from county placing agencies, representatives from behavioral health service providers, and representatives from Medi-Cal managed care plans.
- 14) Requires the guidelines to be developmentally appropriate and include guidance on all of the following:
 - a) Assessing youth safety and well-being during a virtual visit;
 - b) Ensuring confidential and youth-centered communication during a virtual visit;
 - c) Ensuring that informed consent for virtual visits from NMDs is meaningful and developmentally appropriate;
 - d) Engagement, well-being, and connection to supportive adults and community resources for NMDs; and
 - e) A proposed process to gather regular and ongoing feedback from NMDs on the quality of in-person and virtual casework visits.
- 15) Requires CDSS, no later than July 1, 2027, and contingent upon an appropriation for this purpose, to convene stakeholders, including representatives of the training entities for county placement agencies, to develop best practices in casework practices to support and promote

the healthy adult development of NMDs. Requires CDSS to utilize this input to develop and deliver training, and possibly other means of support, for county placing agencies to promote optimal casework practices when serving NMDs.

EXISTING LAW:

State law:

- 1) Requires youth in foster care to be visited by a caseworker at least once every calendar month, and for the majority of the visits to be in the residence of the foster youth. Requires the caseworkers to comply with data reporting requirements that CDSS deems necessary to comply with federal law. (Welfare and Institutions Code [WIC] § 16501.1(l))
- 2) Requires all foster youth who are placed in group homes to be visited at least monthly by a caseworker. Prohibits the private discussion from being held in the presence or immediate vicinity of the group home staff. (WIC § 16516.5)
- 3) Requires, at least once every six months, at the time of a regularly scheduled placement agency contact with the foster youth, and at each placement change, the foster youth's caseworker to inform the youth, the care provider, and the child and family team, if applicable, of their rights as a foster youth, as specified in existing law, and is required to provide a written copy of the rights to the youth as part of the explanation. Requires the caseworker to provide the information in a manner appropriate to the age or developmental level of the youth. Requires the caseworker to document in the case plan that they have informed the youth of, and have provided the youth with a written copy of, their rights. (WIC § 16501.1(g)(4))
- 4) Specifies that if a foster youth has been placed out of state, each status review to ensure consistent oversight of their placement shall also address whether the out-of-state placement continues to be the most appropriate placement selection and in the best interests of the child. (WIC § 366(c))
- 5) Establishes the framework for the six-month status review hearings required for NMDs. Reinforces that the rights and protections afforded to minors, including regular visitation, apply to those in extended foster care. (WIC § 366.31)
- 6) Establishes the Interstate Compact on the Placement of Children in statute to promote appropriate jurisdictional arrangements for the care of children and specifies that the sending agency (the California county) remains legally and financially responsible for the foster youth. Defines an "out-of-state residential facility" to mean a facility that is located in a state outside of California, is licensed or otherwise approved by the applicable state or tribal authority, and provides an integrated program of specialized and intensive care and supervision, services and supports, treatment, and short-term, 24-hour, trauma-informed care and supervision to children. An out-of-state residential facility may be called another name, including a group home, a residential treatment facility, or a residential care treatment facility. (Family Code §§7900-7913)

Federal law:

- 7) Requires, under the Child and Family Services Improvement Act of 2006 (Act), state child welfare plans to include standards for the content and frequency of caseworker visits to ensure that foster youth are visited at least once every month. Requires these visits to ensure a foster youth's safety, permanency, and well-being. Establishes requirements for the location of the visits and stipulates that the majority of the monthly visits must occur in the foster youth's residence. (42 United States Code (U.S.C.) §§ 622(b)17 and 624(f)(2)(A))
- 8) Established the Fostering Connections to Success and Increasing Adoptions Act of 2008 to provide the option for states to extend the definition of a "child" to include individuals up to 21 years of age for foster care assistance. (2 U.S.C. § 675(8)(B))

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

COMMENTS: This analysis only discusses issues germane to the Assembly Committee on Human Services.

Background: *Monthly Visits.* All foster youth, regardless of age, are required to have monthly visits with their caseworker to ensure a youth's safety, permanency, and well-being. These check-ins allow caseworkers to monitor the foster youth's environment and to evaluate the quality of care being provided. During these visits, caseworkers can assess a youth's physical and emotional safety and monitor for potential or existing maltreatment. The monthly visits also provide a way for the caseworker to assess the foster youth's progress toward permanency goals such as independent living and whether the case plan needs to be updated to reflect any changes. These regular visits are also intended to strengthen the relationship between the youth and the caseworker so that the youth has an advocate to voice concerns when necessary. The monthly meetings are also crucial to allowing the caseworker to support the youth's caregivers and address any issues, needs, or gaps in order to maintain and preserve the placement. The requirement for monthly caseworker visits is enshrined in both federal and state law and specifically requires that the majority of visits occur in the foster youth's residence to ensure an accurate assessment of the living situation.

For youth who are placed out of state and are at least 18 years of age, *this bill* would allow them the option of having their monthly visit through a virtual visit, defined as a real-time audiovisual interaction between the caseworker and the NMD, as long as the youth is not placed in a residential facility. *This bill* would delineate between in-person and virtual visits and only require in-person visits to occur every quarter.

Extended Foster Care is a voluntary program in California, established by AB 12 (Beall), Chapter 559, Statutes of 2010, that allows eligible youth to remain in the foster care system until they turn 21 years of age. Because they are no longer minors, they are referred to as NMDs. The program is designed to provide a safety net of continued support, housing, and case management to help young adults transition more successfully into independent living. To participate, a youth must generally have been in a foster care placement on their 18th birthday and must meet at least one of five specific criteria, such as being enrolled in school, working at least 80 hours a month, or having a medical condition that prevents them from working or studying.

Out-of-State Placements. Some youth may move out of state to attend college or vocational school, and some may have found employment opportunities and reside in a Supervised

Independent Living Placement (SILP). Permitted SILP settings can include apartments, shared residences, or college dorms. Other NMDs are placed with relatives or non-relative extended family members who happen to live outside of California. Out-of-state residential facilities that are licensed to provide an integrated program of specialized, intensive, 24-hour trauma-informed care and supervision are not included within these provisions.

This bill would allow out of state SILP and relative placements to be virtual with consent, while in-person quarterly visits continue.

Recent federal guidance. In October of 2025, the Administration for Children and Families¹ issued revised guidance which allows NMDs who have provided informed consent for virtual visits to use virtual caseworker visits to meet the requirements for monthly caseworker visits, stating

“For youth in foster care who have attained the age of 18 years, and who have provided informed consent for virtual visits, a title IV-B agency may use virtual caseworker visits to meet the requirements for monthly caseworker visits in 422(b)(17) of the Act. . . Furthermore, the Act requires State and Tribal title IV-B agencies to describe standards for monthly caseworker visits with all children and youth in foster care that are well-planned and focused on issues pertinent to case planning and service delivery to ensure the safety, permanency and well-being of the child.”

Working Group and Stakeholder Convening. The provisions of *this bill* would require CDSS to establish a working group by July 1, 2027, and to create specific guidelines for county agencies and attorneys who support NMDs living out of state. This working group would pull together a wide range of perspectives, including young people with lived experience, developmental experts, and representatives from behavioral health and Medi-Cal-managed care plans. The primary goal is to ensure that the support provided to these young adults is developmentally appropriate and focuses on their unique needs while they are living outside of California.

These new guidelines would specifically address how to handle virtual visits, ensuring that they are conducted in a way that protects the youth’s privacy and accurately assesses their safety. The guidelines would also outline how to obtain meaningful, informed consent for these remote check-ins and how to keep young adults connected to supportive mentors and community resources. Additionally, CDSS would be tasked with creating a formal process to collect regular feedback from the youth themselves regarding the quality of the visits they receive, whether those interactions happen in person or online.

By that same 2027 deadline, and if the necessary funding is secured, CDSS would also be required to convene stakeholders to pinpoint the best ways to promote healthy adult development through casework. These findings would be used to build and deliver new training programs for counties whose role is to appropriately place foster youth. As prescribed by *this bill*, the stakeholder convening would aim to modernize and improve how California stays connected with and supports its older foster youth as they transition into adulthood, even when they are residing in another state.

¹ <https://cwpm.acf.gov/citations/title-iv-b/title-iv-b-programmatic-requirements> Social Security Act - section 422(b)(17); ACYF-CB-PI-10-01

Author’s Statement: According to the Author, “California's Extended Foster Care (EFC) is a beneficial program that supports our foster youth as they transition into adulthood. It ensures they meet their longterm goals and are adequately supported. [This bill] modernizes California's Extended Foster Care Program by aligning it with federal law to allow non-minor dependents the option of conducting virtual monthly meetings with their social worker while maintaining quarterly in-person meetings.”

Equity Implications: The provisions of *this bill* seek to align with recent federal guidance allowing NMDs who have provided informed consent to use virtual caseworker visits to meet the federal and state requirements to hold monthly caseworker visits. This flexibility acknowledges the adult status of foster youth living out of state in independent living settings. During the pandemic, counties were permitted by federal and state emergency rules to conduct monthly visits virtually, which allowed for this modality of engagement to be evaluated in real time and counties have noted these changes did not produce negative outcomes. By allowing these virtual options to become permanent, *this bill* may help to ensure that out-of-state NMDs have equitable access to the same level of support and oversight as their in-state peers, regardless of geographical distance. This shift could create a more inclusive system that respects the independence of young adults while maintaining access to the services to which they are entitled.

Double referral: Should this bill pass out of this committee, it will be referred to the Assembly Committee on Judiciary.

Arguments in Support: None on file.

Arguments in Opposition: None on file.

RELATED AND PRIOR LEGISLATION:

SB 342 (Leno), Chapter 492, Statutes of 2013, required the mandated visits by the caseworkers of foster youth to occur in the residence of the foster youth and to include a private discussion between the foster youth and the caseworker. Required the caseworker to advise the foster youth of the right to request that the private discussion occur outside the home and clarified that if a foster youth requests to have the private discussion outside the home, it does not replace the visit in the home and does not require the caseworker to schedule an additional visit to accommodate the request. Required the location of monthly visits for each foster youth to comply with specified federal requirements. Prohibited more than two consecutive monthly visits from being held outside the residence of the foster youth and, if the visit did not occur in the place of residence, required the caseworker to document in the case file and in the court report the location of the visit and the reason for the visit occurring outside the place of residence.

AB 12 (Beall), Chapter 559, Statutes of 2010, see comments above.

SB 703 (Ducheny), Chapter 583, Statutes of 2007 conformed various state adoption and child welfare laws to federal law including requiring a dependency court to consider interstate placements in permanency planning decisions when appropriate; consider in-state and out-of-state permanent placement options at permanency hearings; identify appropriate in-state and out-of-state placements when using concurrent planning; and, determine, when appropriate, that an existing out-of-state placement is in the child's best interest.

AB 2807 (Benoit), Chapter , Statutes of 2004 made clarifying changes regarding the status of a child in foster care to include conforming the information monitored by judges in dependency status reports and hearings to the permanency planning requirements of social workers.

REGISTERED SUPPORT / OPPOSITION:

Support

County Welfare Directors Association of California (Sponsor)
California Alliance of Caregivers
California Court Appointed Special Advocate Association

Opposition

None on file.

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