



## Legislation Text

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**File #:** 21-1321, **Version:** 1

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Health and Human Services Agency (HHS) recommending the Board:

- 1) Approve and authorize the Chair to sign non-financial Standard Agreement 21-5012 (County Agreement 5870) with the California Department of Social Services, with a retroactive effective date of July 1, 2021 through June 30, 2024; and
- 2) Authorize the HHS Director, or designee, to execute further documents relating to Standard Agreement 21-5012, contingent upon approval by County Counsel and Risk Management, provided that the amendments do not change the term; and to continue to administer Agreement 21-5012 and execute any subsequent documents relating to said Agreement, including programmatic reports.

**FUNDING:** There is no funding included in this Agreement.

**DISCUSSION / BACKGROUND:**

Agreement 21-5012 is a renewal of Agreement 19-5034 with the California Department of Social Services (CDSS), which expired June 30, 2021. Agreement 21-5012, was received from CDSS on June 28, 2021 and was immediately processed by Health and Human Services Agency (HHS) staff for County Counsel and Risk Management review and approval and then submission to the next available Board Agenda. It is retroactive to July 1, 2021. As this agreement is retroactive it is being brought to the Board for approval.

Services as outlined in Agreement 21-5012 provided by CDSS are associated with HHS's Child Welfare Services Resource Family Approval (RFA) program and the State of California, pursuant to California Welfare and Institutions Code section 16519.5 et seq. The RFA program was created to provide a unified, family-friendly, and child-centered process to replace the multiple processes for licensing foster homes, approving relatives and non-relative extended family members as foster care providers, and approving adoptive families. The program establishes a single set of standards for approvals which allow for the safety, permanence, and well-being of children who have been victims of child abuse and neglect. It also reduces the use of congregate care placement settings and decreases the length of time for each child to obtain permanency. Pursuant to Government Code section 30029.7, subdivision (a)(3), the County and CDSS may enter into an agreement for CDSS to provide services or activities related to RFA. The County and CDSS have identified certain services or activities to be provided by CDSS in order to expedite the delivery of services to children and non-minor dependents that reside or may reside in a resource family home.

In compliance with Written Directives (WDs), the written processes, standards, and requirements issued by the CDSS to implement the RFA Program, or regulations issued pursuant to Welfare and Institutions Code section 16519.5, the County is required to consult with legal counsel prior to service of a Notice of Action for denial or rescission of resource family approval, or denial or rescission of a criminal record exemption; and is required to consult with the CDSS Legal Division when recommending the exclusion of an individual. CDSS provides legal consultation and representation on appeals/State hearings Division and Office of Administrative Hearings. CDSS acts as the sole legal representative on behalf of the County in the provision of legal consultations and legal representation on appeals to an RFA Notice of Action. That said, the County is the Client and is the

final decision maker on decisions which affect the legal rights of the County.

**ALTERNATIVES:**

In the event this Agreement is not approved by the Board, the County will be out of compliance with Welfare and Institutions Code section 16519.5.

**PRIOR BOARD ACTION:**

N/A

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

Approved by County Counsel, and Risk Management.

**CAO RECOMMENDATION:**

Approve as recommended.

**FINANCIAL IMPACT:**

There is no financial impact associated with this Agenda Item.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk of the Board to obtain signature of Chair on two (2) original Standard Agreement 21-5012 (County Agreement 5870); and
- 2) Clerk of the Board to return two (2) Agreements to HHSA Contracts Unit at 3057 Briw Road for further processing.

**STRATEGIC PLAN COMPONENT:**

County Strategic Plan, Healthy Communities Goal, Objective 1: "Protect against adverse outcomes among children, adults and senior citizens."

**CONTACT**

Don Semon, Director