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**AB-992 CalWORKs: Baby Wellness and Family Support Home Visiting Program.** (2017-2018)

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AMENDED IN ASSEMBLY MARCH 28, 2017

CALIFORNIA LEGISLATURE— 2017-2018 REGULAR SESSION

**ASSEMBLY BILL**

**No. 992**

**Introduced by Assembly Member Arambula**

**February 16, 2017**

An act to add Article 3.7 (commencing with Section 11337) to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

AB 992, as amended, Arambula. CalWORKs: Baby Wellness and Family Support Home Visiting Program.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states, with California's version of this program being known as the California Work Opportunity and Responsibility to Kids (CalWORKs) program. Under the CalWORKs program, each county provides cash assistance and other benefits to qualified low-income families and individuals who meet specified eligibility criteria, including limitations on income and assets generally applicable to public assistance programs.

This bill ~~would, as of January 1, 2018,~~ *would* establish the Baby Wellness and Family Support Home Visiting Program that would require the State Department of Social Services to ~~award~~ *allocate* funds to counties for the purpose of implementing or contracting with specified early home visiting programs to provide voluntary ~~maternal, infant, and early childhood~~ home visiting programs approved by the department and would authorize the funds to be used to coordinate early home visiting services with, among others, diaper bank services. The bill would require the department to develop and disseminate an informing notice to ensure that all assistance units, as specified, are aware of the program and their ability to participate. The bill would require the department, in consultation with specified persons and entities, to collect specified data and compile and distribute the data to the appropriate policy and fiscal committees of the ~~Legislature, as specified.~~ *Legislature by January 30 of each year.* The bill would authorize the department to issue an all-county letter or similar instructions ~~but until regulations are adopted and~~ would require the department to adopt regulations to implement the provisions by October 1, 2019. The bill would require counties to identify persons eligible for the program and invite them to participate in the program. The bill would require counties to either implement the program or contract with ~~third~~ *3rd* parties to administer the program. By imposing additional duties on local officials, the bill would impose a state-mandated local program.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Article 3.7 (commencing with Section 11337) is added to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code, to read:

### Article 3.7. Baby Wellness and Family Support Home Visiting Program.

**11337.** (a) ~~Effective January 1, 2018, the~~ *The* Legislature hereby establishes the CalWORKs Baby Wellness and Family Support Home Visiting Program in the State Department of Social ~~Services. This is~~ *Services as* a voluntary CalWORKs ~~early~~ home visiting program to serve recipients of aid under this chapter for the purpose of supporting health outcomes for pregnant women and infants born into poverty, expanding their future educational, economic, and financial capability opportunities, and improving the likelihood that they will exit poverty. The program is intended to provide high-quality, evidence-based, ~~research-based,~~ culturally competent services that meet the needs of at-risk assistance ~~units in underserved communities, including~~ *units, including those in underserved,* rural, tribal, ~~and impoverished~~ *impoverished, and other* communities.

(b) The state shall ~~subvene~~ *allocate* funds to counties for the purpose of administering the CalWORKs Baby Wellness and Family Support Home Visiting Program, to provide voluntary ~~maternal, infant, and early childhood~~ home visiting services to any CalWORKs assistance units with a ~~recipient who is pregnant or parenting~~ *pregnant recipient or* a child 24 months of age or younger. Participation in this program shall not be considered a condition of CalWORKs eligibility. Assistance units receiving home visiting services need not be eligible for or required to participate in the welfare-to-work program established pursuant to Article 3.2 (commencing with Section 11320). Participation in a home visiting program shall not affect a family's eligibility for any other CalWORKs benefits, supports, or services, including, but not limited to, welfare-to-work exemptions pursuant to subdivision (b) of Section 11320.3, good cause for not participating pursuant to subdivision (f) of Section 11320.3, participating in housing support services pursuant to Article 3.3 (commencing with Section 11330), or participating in family stabilization pursuant to Section 11325.24.

(c) Home visiting participation is a voluntary program to provide needed services and constructive interventions for ~~at-risk~~ *CalWORKs* families with a child 24 months of age or younger. A parent in the assistance unit shall not be sanctioned in connection with his or her participation or nonparticipation in this program. ~~A parent whose assistance unit is receiving services through the program may decline the services at any point with no adverse impact to the case. A parent may decline or terminate home visiting services offered pursuant to this section at any time with no adverse effect on his or her CalWORKs case.~~

(d) (1) (A) Counties shall identify eligible assistance units pursuant to this section and shall invite them to participate in the program. For those who decide to participate, the program shall provide evidence-based home visiting program services.

(B) "Evidence-based home visiting program" means a program that met or would meet the criteria approved by the United States Department of Health and Human Services ~~Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program adopted April 1, 2015, as described in Section 511(d)(3)(A)(i)(I) of Title V of the federal Social Security Act (42 U.S.C. Sec. 711):~~ *for evidence-based home visiting program models.*

(2) (A) Home visiting services shall only be those intended to achieve the goals established in subdivision (a) and that are provided in the home of an assistance unit. Home visiting services shall only be provided by a certified nurse, certified nurse practitioner, or a certified social worker.

(B) A ~~"home"~~ "home" is defined in this section as a temporary or permanent residence or living space, or another location identified by the assistance unit in the case that the assistance unit is homeless.

(3) Home visiting services shall not include mandatory, random, unannounced visits or visits by any personnel that do not meet the qualifications consistent with paragraph (2).

(e) Funds allocated to counties for this home visiting program may be used by counties to implement *the program* or to contract with voluntary ~~maternal, infant, and early childhood home visiting programs approved by the department, including, but not limited to, the California Home Visiting Program, a home visiting program funded in whole or in part by the state or a local First 5 Commission, or another voluntary home visiting program for low-income Californians that is approved by the United States Department of Health and Human Services.~~ *home visiting programs that meet the criteria described in subparagraph (B) of paragraph (1) of subdivision (d).* These funds may also be used to coordinate early home visiting services with diaper bank services, family financial capability services, and other services that would meet the intent of the CalWORKs Baby Wellness and Family Support Home Visiting Program, as established in subdivision (a).

(f) The ~~State Department of Social Services~~ *department* shall develop and disseminate an informing notice, to ensure that all assistance units ~~who are pregnant, parenting, adopting, or fostering that include a pregnant recipient or~~ a child 24 months of age or younger are aware of the program and their ability to participate. The department shall develop written criteria for eligibility and provision of services consistent with this section. These notices and written criteria shall be developed in consultation with stakeholders, including appropriate legislative staff, the Western Center on Law and Poverty, and the County Welfare Directors Association, and shall be disseminated to counties, with training on the identification of potentially eligible assistance units and appropriate outreach provided to county staff prior to the effective date of program implementation.

(g) The department shall collect data from counties related to the outcomes of participants and children by race, ethnicity, national origin, primary and secondary language, and county. ~~This~~ *The* data shall include program outcomes for the parents and children served in the program and these data components shall be developed in consultation with stakeholders, including appropriate legislative staff, *State Department of Health Care Services and State Department of Public Health home visiting program administrators*, the Western Center on Law and Poverty, and the County Welfare Directors Association. This data shall be compiled and distributed to the appropriate policy and fiscal committees of the Legislature ~~each year on a date that is arrived at with these same stakeholders in the first year of implementation. The State Department of Social Services shall consult the California maternal, infant, and early childhood home visiting program benchmark data collection and reporting mandates in the formulation of this data through collaboration with the State Department of Health Care Services and the State Department of Public Health.~~ *on January 30 of each year.*

(h) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement this section by all-county letters or similar ~~instructions. Thereafter, the~~ *instructions until regulations are adopted.* *The* department shall adopt regulations to implement this section by October 1, 2019.

**SEC. 2.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

**SEC. 3.** No appropriation pursuant to Section 15200 of the Welfare and Institutions Code shall be made for purposes of implementing this act.