

Session 121 - (2015-2016)

S 0150 General Bill, By Shealy, Lourie, McElveen and Grooms

Summary: SC Child Welfare Reform Act

A BILL AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA CHILD WELFARE REFORM ACT OF 2015" SO AS TO TRANSFER, REALIGN, AND RESTRUCTURE CERTAIN PROGRAMS, REQUIREMENTS, AND PROCEDURES RELATING TO CHILD AND FAMILY PROTECTIVE SERVICES AND WELFARE, INCLUDING PROVISION TO ABOLISH THE SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES ON JULY 1, 2016; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO ESTABLISH THE DEPARTMENT OF FAMILY PROTECTIVE SERVICES AND ELIMINATE THE DEPARTMENT OF SOCIAL SERVICES; TO ESTABLISH CHAPTER 2 OF TITLE 63 OF THE 1976 CODE, CREATING THE SOUTH CAROLINA DEPARTMENT OF FAMILY PROTECTIVE SERVICES, TO TRANSFER CERTAIN PROGRAMS AND DIVISIONS OF THE DEPARTMENT OF SOCIAL SERVICES TO THE DEPARTMENT OF FAMILY PROTECTIVE SERVICES, AND TO CREATE EDUCATION AND EXPERIENCE REQUIREMENTS FOR CHILD WELFARE CASEWORKERS; TO AMEND SECTION 43-5-10, AS AMENDED, TO TRANSFER TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES THE AUTHORITY TO ADMINISTER PUBLIC WELFARE IN SOUTH CAROLINA; TO AMEND SECTION 44-6-30, AS AMENDED, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ADMINISTER PUBLIC WELFARE IN SOUTH CAROLINA; TO AMEND ARTICLE 3, CHAPTER 7, TITLE 63 OF THE 1976 CODE BY ADDING MAXIMUM CASELOAD STANDARDS FOR CASEWORKERS IN THE DEPARTMENT OF FAMILY PROTECTIVE SERVICES; TO AMEND SECTION 63-7-900 BY ESTABLISHING A STATEWIDE, TOLL-FREE CHILD ABUSE HOTLINE; TO AMEND SECTION 63-7-910 REQUIRING REPORTS OF CHILD ABUSE OR NEGLECT TO BE MADE THROUGH THE STATEWIDE, TOLL-FREE HOTLINE, DETAILING THE DEPARTMENT OF FAMILY PROTECTIVE SERVICE'S RESPONSIBILITIES UPON RECEIPT OF A REPORT OF SUSPECTED CHILD ABUSE OR NEGLECT, AND REQUIRING THE DEPARTMENT TO COLLECT AND REPORT CERTAIN DATA RELATING TO THE STATEWIDE, TOLL-FREE CHILD ABUSE HOTLINE; TO AMEND SECTION 63-7-920 TO REQUIRE THE DEPARTMENT TO CONDUCT AN IN-PERSON MEETING WITH A CHILD WITHIN TWENTY-FOUR HOURS OF A REPORT OF SUSPECTED ABUSE OR NEGLECT OR SOONER IF THE CHILD IS FOUR YEARS OLD OR YOUNGER AND PRESENTS TO A HOSPITAL FOR TREATMENT AND ALLOWING THE DEPARTMENT TO COLLABORATE WITH THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM; TO AMEND SECTION 63-7-310 BY INCLUDING REFERENCE TO THE STATEWIDE, TOLL-FREE CHILD ABUSE HOTLINE AND INCLUDING RESPONSIBILITIES OF LAW ENFORCEMENT AGENCIES UPON RECEIPT OF A REPORT OF SUSPECTED CHILD ABUSE OR NEGLECT; TO AMEND SECTION 63-7-370 TO REQUIRE LAW ENFORCEMENT TO NOTIFY THE DEPARTMENT OF FAMILY PROTECTIVE SERVICES IN CASES OF SUSPECTED DOMESTIC VIOLENCE WHERE THE PEOPLE INVOLVED IN THE SUSPECTED DOMESTIC VIOLENCE ARE RESPONSIBLE FOR THE WELFARE OF A CHILD; TO AMEND SECTION 63-7-450(C) TO ALLOW THE DEPARTMENT TO PUBLICIZE THE STATEWIDE, TOLL-FREE CHILD ABUSE HOTLINE; TO REPEAL CHAPTER 1 OF TITLE 43 RELATING TO THE STATE DEPARTMENT AND BOARD OF SOCIAL SERVICES, CHAPTER 3 OF TITLE 43 RELATING TO THE COUNTY DEPARTMENTS AND BOARDS OF SOCIAL SERVICES, SECTION 43-5-220 RELATING TO OBTAINING SUPPORT PAYMENTS FROM ABSENT PARENTS, SECTION 43-5-222 RELATING TO CHILD SUPPORT PAYMENTS PAID TO WELFARE RECIPIENTS, SECTION 43-5-225 RELATING TO THE CENTRAL REGISTRY OF RECORDS OF PARENTS WHO HAVE DESERTED OR ABANDONED A CHILD WHO RECEIVES AID TO FAMILIES WITH DEPENDENT CHILDREN, SECTION 43-5-230 RELATING TO THE PUBLIC WELFARE COOPERATIVE PROGRAM FUND, SECTION 43-5-235 RELATING TO REIMBURSEMENT OF LOCAL ENTITIES FOR COSTS OF CHILD SUPPORT COLLECTION AND PATERNITY DETERMINATION PROGRAMS, SECTION 43-5-240 RELATING TO THE EXECUTION OF COOPERATIVE SUPPORT PROGRAM AGREEMENTS BETWEEN COUNTIES DESIRING TO OBTAIN APPROPRIATIONS FROM THE PUBLIC WELFARE SUPPORT REIMBURSEMENT FUND AND THE DEPARTMENT OF SOCIAL SERVICES, SECTION 43-5-245 RELATING TO COUNTIES AND JUDICIAL DISTRICTS SUBMITTING PLANS TO THE DEPARTMENT OF SOCIAL SERVICES RELATING TO STAFFING AND EQUIPMENT NEEDS FOR THEIR CHILD SUPPORT PROGRAMS, SECTION 43-5-580 RELATING TO ENFORCEMENT SUPPORT OBLIGATIONS OF ABSENT PARENTS, SECTION 43-5-590 RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF SOCIAL SERVICES IN ACCORDANCE WITH APPROVED CHILD SUPPORT PLANS, SECTION 43-5-598 RELATING TO DEFINITIONS AND THE NEW HIRE DIRECTORY FOR THE SOUTH CAROLINA EMPLOYABLES PROGRAM ACT, SECTION 43-5-600 RELATING TO THE APPLICABILITY OF THE LEGAL PROCESS, BROUGHT TO ENFORCE CHILD OR SPOUSAL SUPPORT OBLIGATIONS TO PAYMENTS MADE BY SOUTH CAROLINA, SECTION 43-5-610 RELATING TO THE MAINTENANCE OF A CENTRAL REGISTRY OF RECORDS BY THE DEPARTMENT OF SOCIAL SERVICES FOR EACH CASE WHERE SERVICES WERE

PROVIDED PURSUANT TO TITLE IV-D OF THE SOCIAL SECURITY ACT, SECTION 43-5-620 RELATING TO THE ESTABLISHMENT OF A UNIFORM SYSTEM OF INFORMATION CLEARANCE AND RETRIEVAL WHERE THE CHILD SUPPORT ENFORCEMENT OFFICE SHALL HAVE ACCESS TO INFORMATION FROM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE AND THE DEPARTMENT OF MOTOR VEHICLES FOR ENFORCEMENT PURPOSES, SECTION 43-5-630 RELATING TO THE PRORATION OF INTERMITTENT INCOME BY APPLICANTS FOR ASSISTANCE AND SECTION 63-7-320 RELATING TO REPORTS OF CHILD ABUSE OR NEGLECT MADE TO LAW ENFORCEMENT AGENCIES; AND TO PROVIDE FOR OTHER TRANSITIONAL PROVISIONS, FOR THE EFFECTIVE DATE OF THE ACT, AND FOR THE MANNER IN WHICH IT SHALL BE IMPLEMENTED.

12/03/14 Senate Prefiled

12/03/14 Senate Referred to Committee on General

01/13/15 Senate Introduced and read first time (Senate Journal-page 101)

01/13/15 Senate Referred to Committee on General (Senate Journal-page 101)

02/05/15 Scrivener's error corrected