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# California Legislature

## SENATE COMMITTEE ON HUMAN SERVICES

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### **Senate Human Services Oversight Activities 2015**

The Senate Human Services committee held five oversight hearings in 2015, identifying critical gaps in policy and practice that endangered the health of foster children who are prescribed psychotropic medications, endangered the viability of troubled families who were promised key supports in exchange for a dramatically shortened eligibility period for CalWORKs services, and endangered the fiscal stability of middle-class families with aging parents needing in-home care.

In addition, the Committee's chair convened a series of meetings with several state agencies to resolve bureaucratic hurdles that were preventing schools from identifying needy families who were interested in receiving federal CalFresh nutrition benefits, and other barriers to information sharing.

#### Oversight Hearings

#### **February 24, 2015 - Joint Oversight Hearing: Misuse of Psychotropic Medication in Foster Care: Improving Child Welfare Oversight and Outcomes within the Continuum of Care**

This joint hearing with the Senate Select Committee on Mental Health (Beall) identified growing concerns that dangerous psychotropic medications are prescribed at high rates to foster youth and allegations that many of these prescriptions may be a means of controlling, rather than treating, traumatized children with behavioral health issues.

#### **August 11, 2015 - Psychotropic Medication and Mental Health Services for Foster Youth: Seeking Solutions for a Broken System**

Held jointly with the Senate Health Committee, this hearing was a follow-up to the February psychotropic medication discussion and honed in on the system wide standards and oversight tools used by state and local agencies in evaluating the effectiveness of county mental health plans, county child welfare agencies, contracted providers, and individual prescribers in providing access to a broad spectrum of timely, effective, trauma informed psychosocial services that minimize the need for psychotropic medication.

Related Legislative Action:

- SB 238 (Mitchell) improves communication between child welfare services and social workers to prevent the over-drugging of foster youth. Chapter 534, Statutes of 2015
- SB 253 (Monning) would have increase court oversight of psychotropic drugs administered to foster youth. This will was placed on the Assembly inactive file.
- SB 319 (Beall) gives counties with public health nurses the authority to monitor the use of psychotropic drugs given to foster care children. The public health nurses will be allowed to obtain a foster youth's medication records from a medical provider to social worker, giving an additional layer of oversight. Chapter 535, Statutes of 2015
- SB 484 (Beall) increases reporting requirements to detect group homes that rely on psychotropic drugs as the main or only method of treatment. The bill calls for the Department of Social Services, the Department of Health Care Services, and stakeholders to establish a methodology to identify group homes that have disproportionately high levels of psychotropic drug medication. Chapter 540, Statutes of 2015
- AB 403 (Stone) creates a substantive reform of the residential care system for foster youth includes additional oversight of youth who are prescribed psychotropic medications. Chapter 773, Statutes of 2015

**March 10, 2015 - Joint Oversight Hearing: Welfare to Work: Oversight of California's CalWORKs Program**

This joint hearing with Subcommittee #3 of the Budget and Fiscal Review Committee questioned whether the state was appropriately providing services to individuals under the shortened Welfare to Work clock. These individuals were supposed to get assessments and appropriate referrals if they had barriers to work, however those services were not fully implemented before their time on aid ended.

**April 7, 2015 - Joint Informational Hearing: Planning and Preparing for the Looming Financial Risks for Long-Term Services and Supports: Who's Ready?**

This joint hearing with the Assembly Aging and Long-Term Care Committee and the Senate Select Committee on Aging and Long Term Care identified gaps and critical needs in the system of long-term care services for an increasingly aging California population. It raised critical questions about how to finance care for non-needy seniors and how to appropriately support family caregivers who provide an estimated \$450 billion worth of care to relatives in 2009.

Related Legislative Action:

- ACR 38 (Brown) establishes by resolution, the California Task Force on Family Caregiving to meet and report to the Legislature findings by January 1 of 2018, on challenges faced by family caregivers, opportunities to improve caregiver support, and to review the current network and the services and supports available to caregivers. Chapter 200, Statutes of 2015

**August 25, 2015 - Joint Oversight Hearing with Assembly Human Services Committee: The 2016-2017 Community Services Block Grant State Plan**

Federal law requires states to prepare a State Plan and Application (State Plan) every two years for submission to the Secretary of Health and Human Services. The lead agency – in California, the Department of Community Services and Development (CSD) – is required to hold a public hearing in conjunction with the State Plan, as well as a legislative hearing every three years. This Joint Oversight Hearing enabled the state to meet both hearing requirements simultaneously.

Additional Oversight Activity

**CalFresh Direct Certification and AB 402 Implementation Meetings**

The committee chair convened three informational meetings, between January and June with the state Departments of Social Services, Education, and Health Care Services in response to concerns that legislation (AB 402 (Skinner) Chapter 504, Statutes of 2011) permitting transfer of information to benefit hungry California children was facing bureaucratic hurdles.

Prior Oversight Activity with Ongoing Impact in 2015

**February 11, 2014 - Joint Oversight Hearing: Increasing Accountability in Assisted Living Facilities: State Oversight of Care in Residential Care Facilities for the Elderly**

This joint hearing focused on regulatory oversight of assisted living homes that fall under the scope of the California Department of Social Services, specifically residential care facilities for the elderly.

Related Legislative Action:

- AB 74 (Calderon) would have required the Department of Social Services to increase the frequency of annual unannounced licensing visits of licensed child day care centers and family day care homes. This bill was vetoed by the Governor.
- AB 601 (Eggman) Expands and further specifies licensure requirements for residential care facilities for the elderly. Chapter 628, Statutes of 2015

- AB 1387 (Chu) Streamlines the appeals process for community care facility civil penalty and violation appeals and enhances the complaint process for residential care facilities for the elderly. Chapter 486, Statutes of 2015