

## SB1458 WILL LIMIT THE USE OF CONGREGATE CARE PLACEMENTS FOR YOUNG FOSTER CHILDREN

Arizona places young foster children in group homes and institutions at a higher rate than any other state in the nation. Congregate care placements have detrimental effects on the healthy development of children, especially young children. Experts agree that children do best with families and that congregate care should only be used when there is no less restrictive setting that can meet a child's short-term need for therapeutic services. SB 1458 would limit the use of congregate care for foster children under the age of 12 by requiring Director approval prior to placement, an independent assessment of the child's placement needs, and ongoing court approval and oversight.

## CHILDREN THRIVE IN FAMILIES, NOT INSTITUTIONS

Children thrive in families, not institutions. This is especially true for foster children who have experienced trauma. Research provides "strong and conclusive causal evidence that **children exposed to early deprivation benefit from high-quality family-based care**, and, more broadly, that the nature of the early caregiving environment has an extensive and lasting impact on development."<sup>1</sup> Research also shows that that **children should not grow up in congregate care facilities** because of their inherently detrimental effects on the healthy development of children.<sup>2</sup> While foster children of all ages do best with families, it is especially important for young children.

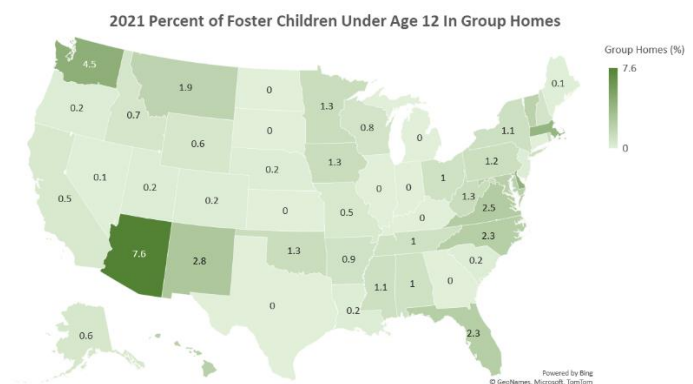
*"Child development theory, federal legislation, and best practice confirm what we know intuitively—children should be placed in settings that are developmentally appropriate and least restrictive. For young children, particularly those age 12 and under, it is particularly important for their developmental needs to be met in family-like settings."<sup>3</sup>*

*--Children's Bureau*

Experts agree that group care should be used for children only when there is no less restrictive setting available to meet a child's need for therapeutic mental health services and only for as long as needed to stabilize the child so he or she can return to a family.<sup>4</sup> This consensus is reflected in the federal Families First Prevention Services Act which restricts federal reimbursement for the placement of foster children in congregate care settings unless they are Qualified Residential Treatment Placements, providing specific therapeutic services the child requires.

## ARIZONA HAS THE HIGHEST RATE OF CONGREGATE CARE PLACEMENT OF CHILDREN UNDER AGE 12

While the overall number of children in foster care in Arizona has decreased, the use of congregate care has not. Arizona's current rate of congregate care placement of foster children of all ages is over 17% and among the highest in the nation. **Arizona has the highest rate of congregate care placement for children under 12.** Nearly 11% of foster children under 12 are placed in congregate care (group homes + institutions) in Arizona while the national average is under 3%.<sup>5</sup> Arizona's over-reliance on group home placements drives the high rate of congregate care placements for young children.



<sup>1</sup> King, L. S., et al. (2023) A Comprehensive Multilevel Analysis of the Bucharest Early Intervention Project: Causal Effects on Recovery From Early Severe Deprivation. *American Journal of Psychiatry*.

<sup>2</sup> Consensus Statement on Group Care for Children and Adolescents: A Statement of Policy of the American Orthopsychiatric Association, American Journal of Orthopsychiatry © 2014 American Orthopsychiatric Association

2014, Vol. 84, No. 3, 219–225

<sup>3</sup> A National Look at the Use of Congregate Care in Child Welfare, 7 (Children's Bureau 2015).

<sup>4</sup> Id.

<sup>5</sup> <https://cwoutcomes.acf.hhs.gov/cwodatasite/sevenOne/index>

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*I am now 25 years old, and I can still vividly remember riding in the back of a state car after being taken from my mother. I kept asking the driver questions, “where am I going, what’s going to happen to me?” They just said they couldn’t tell me anything. I was only 11 years old, and that silent car ride that took me to my first of 24 group homes, is still as clear as yesterday.*

*–Jake, FAAZ Board Member*

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## **SB 1458 ENSURES YOUNG FOSTER CHILDREN ARE PLACED IN FAMILIES; NOT GROUP HOMES AND INSTITUTIONS**

While Arizona must engage in full-scale reform of its continuum of care to reduce the use of congregate care and strengthen family placements for foster children of all ages, it should **act immediately to restrict the placement of younger children in congregate care settings**. Fostering Advocates Arizona proposes:

1. That **no foster child under the age of 12 be placed in a congregate care setting without written approval from the Director** documenting that the placement is required to:
  - Place the child with their siblings,
  - Place the child with a parent who is a dependent child,
  - Address the child’s documented exceptional needs, which can only be met by a specifically identified congregate care provider, or
  - Complete an evaluation of the child’s placement needs.
2. Within 30 days of the initial congregate care placement, an **independent assessment of the child’s needs** be completed in conjunction with the child’s family and permanency team and include recommendations for the appropriate placement of the child.
3. Within 60 days of the placement, the **court must consider the assessment and recommendations and approve or disapprove the congregate care placement**.
4. If the court approves placement in a congregate care setting, the **court shall review the ongoing placement at every subsequent review and permanency hearing** for the child.
5. If the child is in a congregate care setting for six consecutive or nonconsecutive months, DCS must submit updated evidence of the ongoing need for the placement and a **request from the Director for court approval of the continued placement every 30 days**. On its own motion or at the request of any party, the court may set the matter for a hearing.

**SB 1458 will limit the use of congregate care and ensure that young foster children are placed in family-settings where they can thrive.**

## **ABOUT FOSTERING ADVOCATES ARIZONA**

Led by the voices of young people with lived experience in foster care, Fostering Advocates Arizona (FAAZ) connects young adults with advocacy, information, resources, and support to ensure their successful transition to independence.