

## **42 USC 675a: Additional case plan and case review system requirements**

Text contains those laws in effect on August 10, 2015

### **From Title 42-THE PUBLIC HEALTH AND WELFARE**

CHAPTER 7-SOCIAL SECURITY

SUBCHAPTER IV-GRANTS TO STATES FOR AID AND SERVICES TO NEEDY FAMILIES WITH CHILDREN AND FOR CHILD-WELFARE SERVICES

Part E-Federal Payments for Foster Care and Adoption Assistance

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## **§675a. Additional case plan and case review system requirements**

### **(a) Requirements for another planned permanent living arrangement**

In the case of any child for whom another planned permanent living arrangement is the permanency plan determined for the child under section 675(5)(C) of this title, the following requirements shall apply for purposes of approving the case plan for the child and the case system review procedure for the child:

#### **(1) Documentation of intensive, ongoing, unsuccessful efforts for family placement**

At each permanency hearing held with respect to the child, the State agency documents the intensive, ongoing, and, as of the date of the hearing, unsuccessful efforts made by the State agency to return the child home or secure a placement for the child with a fit and willing relative (including adult siblings), a legal guardian, or an adoptive parent, including through efforts that utilize search technology (including social media) to find biological family members for the children.

#### **(2) Redetermination of appropriateness of placement at each permanency hearing**

The State agency shall implement procedures to ensure that, at each permanency hearing held with respect to the child, the court or administrative body appointed or approved by the court conducting the hearing on the permanency plan for the child does the following:

(A) Ask the child about the desired permanency outcome for the child.

(B) Make a judicial determination explaining why, as of the date of the hearing, another planned permanent living arrangement is the best permanency plan for the child and provide compelling reasons why it continues to not be in the best interests of the child to-

- (i) return home;
- (ii) be placed for adoption;
- (iii) be placed with a legal guardian; or
- (iv) be placed with a fit and willing relative.

#### **(3) Demonstration of support for engaging in age or developmentally-appropriate activities and social events**

At each permanency hearing held with respect to the child, the State agency shall document the steps the State agency is taking to ensure that-

(A) the child's foster family home or child care institution is following the reasonable and prudent parent standard; and

(B) the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities (including by consulting with the child in an age-appropriate manner about the opportunities of the child to participate in the activities).

### **(b) List of rights**

The case plan for any child in foster care under the responsibility of the State who has attained 14 years of age shall include-

(1) a document that describes the rights of the child with respect to education, health, visitation, and court participation, the right to be provided with the documents specified in section 675(5)(I) of this title in accordance with that section, and the right to stay safe and avoid exploitation; and

(2) a signed acknowledgment by the child that the child has been provided with a copy of the document and that the rights contained in the document have been explained to the child in an age-appropriate way.

(Aug. 14, 1935, ch. 531, title IV, §475A, as added and amended Pub. L. 113–183, title I, §§112(b)(1), 113(d), Sept. 29, 2014, 128 Stat. 1926 , 1929.)

### **AMENDMENTS**

**2014**-Subsec. (b). Pub. L. 113–183, §113(d), added subsec. (b).

### **EFFECTIVE DATE OF 2014 AMENDMENT**

Amendment by section 113(d) of Pub. L. 113–183 effective on the date that is 1 year after Sept. 29, 2014, with delay permitted if State legislation is required, see section 113(f) of Pub. L. 113–183, set out as a note under section 675 of this title.

### **EFFECTIVE DATE**

Section effective on the date that is 1 year after Sept. 29, 2014, with delay permitted if State legislation is required, see section 112(c) of Pub. L. 113–183, set out as an Effective Date of 2014 Amendment note under section 622 of this title.