Foster Family Agencies: What are Your Obligations Under SB 89?

In July 2017, California adopted a new law (Senate Bill 89) to improve access to sexual health among youth and improve health outcomes among youth and young adults in foster care. Foster family agencies (FFAs) play an important role in ensuring the success of this effort and have specific requirements. These include:

1. **Update pre-approval curriculum to comply with new requirements established in Senate Bill 89**
   SB 89 requires the topics below to be included as part of the 12-hour pre-approval training for all resource families.
   - **YOUTH RIGHTS**: The rights of youth and young adult in foster care to sexual and reproductive health care and information, to confidentiality of sensitive health information, and the reasonable and prudent parent standard
   - **DOCUMENTATION**: How to document sensitive health information, including, but not limited to, sexual and reproductive health issues, in a case plan.
   - **DUTIES**: The duties and responsibilities of the assigned case management worker and the foster care provider in ensuring youth and young adults in foster care can obtain sexual and reproductive health services and information.
   - **ENGAGEMENT**: Guidance about how to engage and talk with youth and young adults about healthy sexual development and reproductive and sexual health in a manner that is medically accurate, developmentally and age-appropriate, trauma-informed, and strengths-based.
   - **METHODS**: Information about current contraception methods and how to select and provide appropriate referral resources and materials for information and service delivery.

2. **Comply with existing requirements in state law and CDSS policy instruction**
   There are seven specific duties required by caregivers related to sexual health, including resource families approved by FFAs. These are not new requirements but play a critical role in ensuring the sexual health of youth and young adults in foster care. These duties are outlined in a document developed by the California Department of Social Services. “Healthy Sexual Development Resource Guide for Children’s Residential Facilities and Resource Families”

3. **Comply with terms of county contract, if applicable**
   Some counties are incorporating these requirements in contracts between the county child welfare agency and FFAs. Los Angeles is one county that will include these requirements in the county contract.

**Recommended Activities**

In addition to complying with these requirements, there are several recommended activities for FFAs:

1. **Modify program policies and procedures to align with state laws, regulations and guidance**
   An organization’s program policies and procedures drive the day-to-day practice and ensure consistent application of state requirements. Given this, it is important that FFAs adapt their organization’s program policies and procedures to align with the state laws, regulation and guidance related to the sexual health of foster youth.

2. **Train front-line personnel on sexual health topics and related requirements**
   While there is not a requirement to train front-line personnel on sexual health topics and related requirements for foster youth, it is an effective practice, given that front-line personnel have the most direct contact with youth.