



*The Commonwealth of Massachusetts*  
*House of Representatives*  
*State House, Boston 02133-1054*

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**FOR IMMEDIATE RELEASE**  
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## **Rep. Smola supports bill expanding DCF's reporting requirements and establishing a Foster Parents' Bill of Rights**

**BOSTON** –The Department of Children and Families (DCF) would be subject to expanded reporting requirements, and would be responsible for implementing a Foster Parents' Bill of Rights, under legislation given initial approval by the House of Representatives on July 9 on a vote of 158-0.

State Representative Todd Smola (R-Warren) said House Bill 4841, *An Act relative to accountability for vulnerable children and families*, would require DCF to develop and update specific case management policies to improve its operations and to ensure the safety of the children under its care. The bill would also move the board that investigates the deaths of children in state care from the Chief Medical Examiner's Office to the Office of the Child Advocate.

Among the reporting provisions included in House Bill 4841 is a requirement that DCF file an annual report detailing the outcomes of children and young adults leaving or aging out of DCF care and custody, and whether they have secured housing, employment, and post-secondary education. The bill also requires DCF to report annually on its fair hearing process and cases, and directs the department's Ombudsman to annually disclose any questions or concerns received during the previous fiscal year.

In response to the COVID-19 global pandemic, the bill requires DCF to analyze and report on various aspects of the child welfare and education system to understand the novel coronavirus' impact on vulnerable children. It also mandates monthly updates on child abuse and neglect reports made to the department, and directs DCF to develop and implement a public information campaign to increase awareness of child abuse and neglect during the State of Emergency.

Representative Smola said a centerpiece of House Bill 4841 is the creation of a Foster Parents' Bill of Rights, which is designed to articulate specific rights and responsibilities to help DCF recruit and retain foster parents. The proposed Bill of Rights would require DCF to:

- not discriminate against a foster parent on the basis of religion, race, ethnicity, age, physical ability or other arbitrary factors;
- develop and provide standardized pre-service training for foster parents;
- provide foster parents with information about the child prior to their placement, including the child's physical and behavioral health history, as well as their education needs and daily routine;
- give foster parents an opportunity to review DCF's action plan regarding the child placed in their home and to discuss the plan with the social worker;
- notify foster parents about any court hearings, complaints, and financial supports and services available to them;
- maintain a 24-hour emergency hotline that can be accessed when DCF offices are closed; and
- allow foster parents to provide notes to be placed in a child's file before the child leaves their foster home that may be helpful to future foster parents.

Representative Smola said House Bill 4841 would also expand the role of the Child Advocate by providing their office with oversight of the state's child fatality review team and designating the Child Advocate as its co-chair, along with the Commissioner of Public Health. The Child Advocate would be responsible for presenting the findings of all investigations into critical incidents involving the death of a child who is under state care or receiving state services when there is a reasonable belief that a state agency failed in its duty to protect the child. The bill would require the Child Advocate to jointly and simultaneously brief the Governor, Attorney General, Senate President and House Speaker on their findings at least 48 hours before releasing the results of the investigation.

House Bill 4841 now heads to the Senate for its consideration. For additional information please contact Representative Smola at [Todd.Smola@mahouse.gov](mailto:Todd.Smola@mahouse.gov) or (617)722-2100.

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