

**ADOPTED**

Senator Unterman of the 45th offered the following amendment:

1 *Amend the Senate Health and Human Services Committee substitute to HB 914*  
 2 *(LC 37 1791S) by deleting lines 26 through 104 and inserting in lieu thereof the following:*

3 adding a new Code section to read as follows:

4 "49-2-18.

5 (a) As used in this Code section, the term:

6 (1) 'Child welfare services' means those services relating to programs and protection for  
 7 children and youth conducted pursuant to Chapter 5 of this title, including, but not limited  
 8 to, adoption services, family preservation, independent living, emergency shelter,  
 9 residential group care, foster care, therapeutic foster care, intensive residential treatment,  
 10 foster care supervision, case management services, post-placement supervision, and  
 11 family reunification; provided, however, that child welfare services shall not include  
 12 child protection investigations.

13 (2) 'Division' means the Division of Family and Children Services of the Department of  
 14 Human Services.

15 (b) Beginning July 1, 2015, the division shall conduct a three-year pilot program for the  
 16 purpose of evaluating whether child welfare services should be privatized statewide. The  
 17 pilot program shall be established in three of the 15 regional service areas identified by the  
 18 division. The division should establish the pilot program in diverse areas of the state. The  
 19 division shall use a competitive bidding process to contract with a single community based  
 20 organization, which may be faith based, to administer all child welfare services for all  
 21 children in each region either directly or through a local network of providers; provided,  
 22 however, that the services provided directly by that community based organization shall  
 23 not exceed 35 percent of all child welfare services in the region. The competitive bidding  
 24 process shall be developed with input from community based providers, foster parents,  
 25 members of the faith community, and child advocacy organizations.

26 (c) There shall be created the Child Welfare Pilot Program Commission. The commission  
 27 shall be composed of seven members and shall be appointed as follows: three shall be  
 28 appointed by the Governor; two shall be appointed by the Lieutenant Governor; and two  
 29 shall be appointed by the Speaker of the House of Representatives. The commission shall  
 30 advise the division on the design and implementation of the pilot program and the  
 31 competitive bidding process for the provision of child welfare services through contracts  
 32 with community based organizations, including a federal Title IV-E Waiver Demonstration  
 33 Project for fixed funding if necessary.

34 (d) The division shall retain responsibility for the quality of contracted services and  
35 programs and shall ensure that services are delivered in accordance with applicable federal  
36 and state laws and regulations and in adherence to nationally recognized child welfare  
37 performance outcome measures. Each community based organization in the administrator  
38 role should receive payment by the division of a reasonable monthly administrative rate  
39 and a case rate per child calculated as the total appropriated funds allocated for child  
40 welfare services during the prior fiscal year divided by the monthly average number of  
41 children served in the same fiscal year.

42 (e) The division shall evaluate the pilot program and submit a report regarding quality  
43 performance, outcome measure attainment, and cost efficiency results to the Governor, the  
44 Lieutenant Governor, and the Speaker of the House of Representatives no later than  
45 January 1, 2018. Such report shall also include recommendations as to the expansion of  
46 the pilot program statewide and identification of services which should be included in  
47 privatization efforts. Beginning July 1, 2018, this pilot program shall be expanded to all  
48 remaining 12 regions statewide over the following two years. The division shall be  
49 authorized to establish such rules and regulations in order to execute the pilot program."