

STATEMENT OF PURPOSE

RS26288

The proposed legislation would clarify the Department of Health and Welfare's authority to consent to medical and mental health evaluations and treatment once a child is placed in shelter care status and after the Department has been granted temporary legal custody of a child. The Child Protective Act is currently silent as to the Department's ability to consent to such evaluation or treatment before the Shelter Care and Adjudicatory Hearings. This lack of clarity can lead to delays in the necessary evaluation and treatment of children who have experienced abuse or neglect. The proposed legislation would provide the Department with a limited ability to consent to such evaluation or treatment.

FISCAL NOTE

There is no anticipated impact to the General Fund. The majority of children placed in foster care currently receive Medicaid benefits and those benefits would continue to cover these children's health care costs. In a small percentage of cases, the child's private insurance provider would be billed or the costs would be covered by existing General Funds. This legislation does not change how the medical services are covered today, so we don't anticipate any changes to costs.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).