

ORIGINAL HOUSE  
BILL NO. HB0011

ENROLLED ACT NO. 3, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2020 BUDGET SESSION

AN ACT relating to children; requiring an assessment for children placed in a qualified residential treatment program; requiring court review and presentation of information about the program; defining terms; making conforming amendments; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 14-3-402(a) by creating new paragraphs (xxv) and (xxvi) and by amending and renumbering (xxv) as (xxvii), 14-3-429(c) by creating a new paragraph (v), 14-3-431(c)(intro) and (j) by creating a new paragraph (iii), 14-6-201(a) by creating new paragraphs (xxvii) and (xxviii) and by renumbering (xxvii) as (xxix), 14-6-229(e)(ii)(B)(I)(1), (2), by creating a new subdivision (3) and by creating a new paragraph (vi), 14-6-402(a) by creating new paragraphs (xxiv) and (xxv) and 14-6-429(c)(i)(B)(I)(1), (2), by creating a new subdivision (3) and by creating a new paragraph (v) are amended to read:

**14-3-402. Definitions.**

(a) As used in this act:

(xxv) "Qualified individual" means a person who meets the requirements of 42 U.S.C. § 675a(c)(1)(D);

(xxvi) "Qualified residential treatment program" means a program that meets the requirements of 42 U.S.C. § 672(k)(4);

~~(xxv)~~(xxvii) "This act" means W.S. 14-3-401 through ~~14-3-440~~14-3-441.

ORIGINAL HOUSE  
BILL NO. HB0011

ENROLLED ACT NO. 3, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2020 BUDGET SESSION

**14-3-429. Decree where child adjudged neglected; dispositions; terms and conditions; legal custody.**

(c) In cases where a child is ordered removed from the child's home:

(v) If the child is placed in a qualified residential treatment program:

(A) Within thirty (30) days of the placement a qualified individual shall conduct an assessment to determine whether the child's needs can be met through placement with family members or in a foster family home, or if the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment consistent with short-term and long-term goals of the child and the child's permanency plan;

(B) Within sixty (60) days of the placement the court shall:

(I) Consider the assessment completed pursuant to subparagraph (A) of this paragraph;

(II) Determine whether the child's needs can be met through placement in a foster family home or whether the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment;

ORIGINAL HOUSE  
BILL NO. HB0011

ENROLLED ACT NO. 3, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2020 BUDGET SESSION

(III) Determine whether the placement is consistent with short-term and long-term goals of the child, as specified in the child's permanency plan;

(IV) Approve or disapprove the placement.

**14-3-431. Duration of orders of disposition; termination of orders; permanency hearings; petition for termination of parental rights.**

(c) The court shall conduct a review hearing six (6) months from the date of the child's removal from the home and every six (6) months thereafter. If the child is placed in a qualified residential treatment program, the department of family services shall present to the court at the six (6) month review hearing the information required under subparagraphs (j)(iii)(A) through (D) of this section. At the six (6) month review hearing the court shall review the case plan to determine:

(j) At the permanency hearing, the department of family services shall present to the court:

(iii) If the child is placed in a qualified residential treatment program:

(A) Information to show that ongoing assessment of the child's strengths and needs continues to support the determination that placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment consistent with the short-term and long-term goals of the child and the child's permanency plan;

ORIGINAL HOUSE  
BILL NO. HB0011

ENROLLED ACT NO. 3, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2020 BUDGET SESSION

(B) The specific treatment needs that will be met for the child in the placement;

(C) The length of time the child is expected to remain in the placement;

(D) The efforts made by the department of family services to prepare the child to return home or be placed for adoption or legal guardianship.

**14-6-201. Definitions; short title; statement of purpose and interpretation.**

(a) As used in this act:

(xxvii) "Qualified individual" means a person who meets the requirements of 42 U.S.C. § 675a(c)(1)(D);

(xxviii) "Qualified residential treatment program" means a program that meets the requirements of 42 U.S.C. § 672(k)(4);

~~(xxvii)~~(xxix) "This act" means W.S. 14-6-201 through 14-6-252.

**14-6-229. Decree where child adjudged delinquent; dispositions; terms and conditions; legal custody.**

(e) In cases where a child is ordered removed from the child's home:

(ii) If a child is committed or transferred to an agency or institution under this section:

ORIGINAL HOUSE  
BILL NO. HB0011

ENROLLED ACT NO. 3, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2020 BUDGET SESSION

(B) Not less than once every six (6) months, the court of jurisdiction shall conduct a formal review to assess and determine the appropriateness of the current placement, the reasonable efforts made to reunify the family, the safety of the child and the permanency plan for the child. During this review:

(I) The department of family services shall present to the court:

(1) If the permanency plan is classified as another planned permanent living arrangement, documentation of the ongoing and unsuccessful efforts to return the child home or place the child for adoption or with a legal guardian or a fit and willing relative for purposes of guardianship or adoption, including evidence of efforts to use social media or other search technology to find biological family members for the child; ~~and~~

(2) Efforts made to ensure that the child is provided, to the greatest extent possible, the opportunity to participate in age appropriate or developmentally appropriate activities and experiences as defined in W.S. 14-13-101(a)(i) to promote healthy child and adolescent development consistent with W.S. 14-13-101 through 14-13-104; ~~and~~

(3) If the child is placed in a qualified residential treatment program:

a. Information to show that ongoing assessment of the child's strengths and needs continues to support the determination that placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in

ORIGINAL HOUSE  
BILL NO. HB0011

ENROLLED ACT NO. 3, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2020 BUDGET SESSION

the least restrictive environment consistent with the short-term and long-term goals of the child and the child's permanency plan;

b. The specific treatment needs that will be met for the child in the placement;

c. The length of time the child is expected to remain in the placement;

d. The efforts made by the department of family services to prepare the child to return home or be placed for adoption or legal guardianship.

(vi) If the child is placed in a qualified residential treatment program:

(A) Within thirty (30) days of the placement a qualified individual shall conduct an assessment to determine whether the child's needs can be met through placement with family members or in a foster family home, or if the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment consistent with the short-term and long-term goals of the child and the child's permanency plan;

(B) Within sixty (60) days of the placement the court shall:

(I) Consider the assessment completed pursuant to subparagraph (A) of this paragraph;

ORIGINAL HOUSE  
BILL NO. HB0011

ENROLLED ACT NO. 3, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2020 BUDGET SESSION

(II) Determine whether the needs of the child can be met through placement in a foster family home or whether the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment;

(III) Determine whether the placement is consistent with the short-term and long-term goals for the child as specified in the child's permanency plan;

(IV) Approve or disapprove the placement.

**14-6-402. Definitions.**

(a) As used in this act:

(xxiv) "Qualified individual" means a person who meets the requirements of 42 U.S.C. § 675a(c)(1)(D);

(xxv) "Qualified residential treatment program" means a program that meets the requirements of 42 U.S.C. § 672(k)(4).

**14-6-429. Decree where child adjudged in need of supervision; dispositions; terms and conditions; legal custody.**

(c) In cases where a child is ordered removed from the child's home:

(i) If a child is committed or transferred to an agency or institution under this section:

ORIGINAL HOUSE  
BILL NO. HB0011

ENROLLED ACT NO. 3, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2020 BUDGET SESSION

(B) Not less than once every six (6) months, the court of jurisdiction shall conduct a formal review to assess and determine the appropriateness of the current placement, the reasonable efforts made to reunify the family, the safety of the child and the permanency plan for the child. During this review:

(I) The department of family services shall present to the court:

(1) If the permanency plan is classified as another planned permanent living arrangement, documentation of the ongoing and unsuccessful efforts to return the child home or place the child for adoption or with a legal guardian or a fit and willing relative for purposes of guardianship or adoption, including evidence of efforts to use social media or other search technology to find biological family members for the child; ~~and~~

(2) Efforts made to ensure that the child is provided, to the greatest extent possible, the opportunity to participate in age appropriate or developmentally appropriate activities and experiences as defined in W.S. 14-13-101(a)(i) to promote healthy child and adolescent development consistent with W.S. 14-13-101 through 14-13-104; ~~and~~

(3) If the child is placed in a qualified residential treatment program:

a. Information to show that ongoing assessment of the child's strengths and needs continues to support the determination that placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in



ORIGINAL HOUSE  
BILL NO. HB0011

ENROLLED ACT NO. 3, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2020 BUDGET SESSION

the least restrictive environment, consistent with the short-term and long-term goals of the child and the child's permanency plan;

b. The specific treatment needs that will be met for the child in the placement;

c. The length of time the child is expected to remain in the placement;

d. The efforts made by the department of family services to prepare the child to return home or be placed for adoption or legal guardianship.

(v) If the child is placed in a qualified residential treatment program:

(A) Within thirty (30) days of the placement a qualified individual shall conduct an assessment to determine whether the child's needs can be met through placement with family members or in a foster family home, or if the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment consistent with the short-term and long-term goals of the child and the child's permanency plan;

(B) Within sixty (60) days of the placement the court shall:

(I) Consider the assessment completed pursuant to subparagraph (A) of this paragraph;

ORIGINAL HOUSE  
BILL NO. HB0011

ENROLLED ACT NO. 3, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2020 BUDGET SESSION

(II) Determine whether the needs of the child can be met through placement in a foster family home or whether the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment;

(III) Determine whether placement is consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan;

(IV) Approve or disapprove the placement.

**Section 2.** This act is effective July 1, 2020.

(END)