

CONCURRENCE IN SENATE AMENDMENTS

AB 2478 (Schultz and Solache)

As Amended August 21, 2026

Majority vote

SUMMARY

Establishes a Kinship Family Approval (KFA) process within the California Department of Social Services (CDSS) as a streamlined, separate pathway for relatives, nonrelative extended family members (NREFMs), and extended family members of Indian children to become approved foster care providers.

Senate Amendments

- 1) Add tribally approved homes throughout the bill to create parity with kinship and resource families.
- 2) Add a definition of "tribally approved home" and revise provisions so that criminal background checks in a tribally approved home are in the relevant Indian child statutes as opposed to the general licensing provisions.
- 3) Extend the deadline for the KFA process from January 1, 2028, to July 1, 2028, and align resource family approval (RFA) and community care background check statutes to reflect the new deadline.
- 4) Require CDSS to convene government-to-government consultation with tribes on implementing the KFA process.
- 5) Strengthen county oversight and reduce county support duties by reducing state review of county KFA practice from at least once every three years to every two years and move requirement for counties to provide ongoing support to kinship families no less than quarterly to a general duty to assist and support.
- 6) Restructure the kinship family training requirement by splitting the 12-hour total into two parts: six hours on specified subjects before approval and six hours on other specified subjects within 90 days after approval.
- 7) Add criminal exemption pathways by allowing child-specific approval for a relative who has received a specified exemption and provides that approval is not automatically denied where the person holds that exemption.
- 8) Create an alternative nonfederal Adoption Assistance Program-eligibility path for prospective adoptive parents who cannot meet the federal background check requirement.
- 9) Remove kinship families from county-certified respite care, including the separate home inspection standard.
- 10) Add a new placement category effective January 1, 2027, for homes of NREFMs and extended family members of an Indian child that the court has authorized but that are ineligible for emergency caregiver funding because approval was denied, rescinded, or removed.

- 11) Add provisions from SB 1017 (Reyes), AB 2764 (Ahrens), and SB 1051 (Menjivar) of the current legislative session to avoid chaptering-out conflicts and make technical and conforming changes.

COMMENTS

Background: *Resource Family Approval*. The RFA Program, first piloted by AB 340 (Hancock), Chapter 464, Statutes of 2007, and subsequently applied statewide through SB 1013 (Committee on Budget and Fiscal Review), Chapter 35, Statutes of 2012, implemented RFA on January 1, 2017. RFA is a unified, family-friendly, and child-centered process that combines elements of foster parent licensing, relative approval, and adoption and guardianship approval processes. It was designed to replace multiple existing processes for licensing foster homes, approving relatives and NREFMs as foster care providers, and approving adoptive families. RFA is also a route to direct permanency for caregivers who wish to adopt or be guardians of youth in care. A resource family considered eligible to provide foster care for related and unrelated children in out-of-home placement is considered approved for adoption or legal guardianship and does not have to undergo any additional approval or licensure processes.

Federal Changes. On September 28, 2023, the federal Administration on Children and Families (ACF) published a final rule regarding separate licensing and approval standards for kinship placements, permitting Title IV-E agencies (states, including specified tribal welfare entities) to claim Title IV-E federal financial participation on behalf of a child who is placed in a relative or kinship licensed or approved foster family home when the agency uses different licensing or approval standards for relative or kinship foster family homes and non-relative or non-kinship foster family homes. ACF now allows states to adopt different licensing or approval standards for relative or kinship foster family homes and during periodic reviews, states must ensure that children receive equal Foster Care Maintenance Payments regardless of placement type. ACF also aligned the definition of "foster family home" with changes made by the Family First Prevention Services Act and requires the foster parent to reside in the home with the child. ACF encouraged all states to develop standards for relative and kinship foster family homes that impose as few burdens as possible on these families, consistent with ensuring the safety and well-being of children. As a result of these federal changes, California enacted AB 2830 as its own framework to align with these new standards.

AB 2830 (Robert Rivas), Chapter 417, Statutes of 2024, required CDSS to adopt, no later than January 1, 2027, a simplified approval process for relative caregivers consistent with the ACF's guidance, and required CDSS to track and report to the Legislature specified data on implementation. AB 2830 directed CDSS to consult with stakeholders, including advocates representing caregivers and foster youth, county child welfare and probation representatives, foster family agencies, tribes, tribal organizations, and tribal consortia, to develop the simplified process.

AB 2830 created the statutory framework for a simplified approval process for relative caregivers and directed CDSS to develop it. The provisions of *this bill* enact that framework by codifying a comprehensive KFA process and providing the substantive standards, definitions, procedural requirements, and accountability structures that will govern how kinship families are approved going forward.

While AB 2830 directed CDSS to adopt a process "consistent with federal regulations" *this bill* directly incorporates the federal framework by requiring that the KFA process be consistent with

the definition of foster family homes for purposes of Title IV-E eligibility, meaning eligibility for federal reimbursement. The bill defines "kinship family" as an individual or family that has successfully met the home environment assessment and family engagement process standards, a two-part standard less demanding than RFA, which requires both home environment and permanency assessment standards. This aligns with ACF's encouragement that states reduce approval burdens on kinship families while maintaining child safety.

This bill expands the pool of eligible caregivers beyond what AB 2830 contemplated. AB 2830 focused primarily on relatives, with an option for CDSS to expand the definition to include NREFMs, however *this bill* makes that expansion mandatory by requiring the KFA process to be available to relatives, NREFMs, and extended family members of an Indian child. This broader scope provides a streamlined pathway for NREFMs and extended family members who are known and trusted by the child but are not biologically related within the statutory definition of "relative."

This bill requires CDSS, no later than July 1, 2028, to adopt a KFA process in compliance with federal Title IV-E eligibility standards and codifies that process in state law, establishing substantive approval standards, county and CDSS responsibilities, training requirements, and due process protections.

Criminal Record Clearance and Exemptions. *This bill* establishes a criminal background check framework for KFA that mirrors the existing RFA structure, rather than creating a separate, more lenient criminal records structure. Under existing law, any person seeking approval to provide foster care including relatives and NREFMs seeking RFA must obtain a criminal record clearance or exemption.

This bill would establish a KFA process as a distinct alternative to RFA for relatives, NREFMs, and extended family members of an Indian child. With respect to criminal record clearances and exemptions, the bill applies the same exemption framework to KFA applicants as currently applies to RFA applicants including the same disqualifying convictions, the same standard exemption criteria, and the same federal Title IV-E compliant prohibitions.

KFA Process. The KFA process is designed to reduce barriers that have historically prevented children from being placed with kin by streamlining the approval standards applicable to relatives and NREFMs. Unlike RFA, which requires applicants to meet both a home environment assessment and a permanency assessment, the latter of which evaluates the family's capacity to provide long-term permanency for a child, KFA replaces the permanency assessment with a family engagement standard, reflecting that the nature of a kin relationship differs fundamentally from that of a non-related foster placement. Counties are required to inform relatives and NREFMs of both options and allow them to choose, meaning kin who do not intend to adopt or provide legal guardianship, or who may not meet the full RFA permanency criteria, can still be approved to care for a child. As it relates to evaluating criminal records, the RFA process does not lower the substantive clearance bar but does confirm that the child-specific exemption pathway is available to KFA applicants, providing the same flexibility that relative RFA applicants already have to seek an exemption for certain offenses when the approval is tied to a specific child.

When the RFA process was implemented, the goal was to unify a previous patchwork system of foster care approval processes. Currently, all foster care provider applicants are subject to the same RFA process regardless of their relationship with the child, which streamlines processes for

all caregivers. However, this standardized process can subject kin caregivers to unnecessary administrative barriers that create undue delays, which sometimes prevent children from being placed with kin altogether. The RFA was largely designed for licensed foster parents and does not fully reflect the needs of relatives and other trusted adults who step forward during a family crisis.

The provisions of *this bill* preserve RFA as a parallel option that kinship caregivers may choose if they prefer full RFA approval, which carries broader eligibility for placements of unrelated children and is the pathway currently used by foster family agencies.

According to the Author

"Despite officially embracing a 'kin-first' culture that prioritizes placing children with family or trusted adults in a child's life, California currently utilizes a one-size-fits-all foster care approval process that can create unnecessary administrative burdens for a child's kin. Research has consistently and resoundingly shown that children experience a wide range of better outcomes when placed with familiar caregivers, including greater placement and educational stability, higher likelihood of reuniting with siblings, and improved mental and behavioral health. California's current system, the Resource Family Approval (RFA) process, was largely designed for licensed foster parents and does not fully reflect the needs of relatives and other trusted adults who step forward during a family crisis. Administrative burdens and irrelevant requirements can create undue delays for placing a child in the safest and most supportive setting possible. To address these unacceptable delays and promote the resounding benefits of kinship care, the legislature enacted AB 2830 (Rivas) to direct the California Department of Social Services to develop policy improvements to strengthen kinship placement pathways.

"[This bill] follows through on these improvements by creating the Kinship Family Approval (KFA) pathway, a streamlined approval framework for kin caregivers. This pathway is designed specifically to recognize that caregivers with pre-existing meaningful relationships with a child should not face unnecessary regulatory barriers designed for traditional foster homes. This legislation additionally clarifies emergency placement rules, allows agencies to access Title IV-E federal funding that encourages the creation of separate kinship approval pathways, and extends the eligibility of very limited criminal record exemptions to a wider range of kin so that children can be placed quickly with safe caregivers who are familiar to them. By reducing administrative delays and strengthening family-first placement policies, [this bill will maximize kin placements while remaining unwavering in safeguards that secure the safety and stability of a caregiver's home. The KFA pathway will ensure children are more efficiently given a sense of stability, consistency, and permanency with a caregiver that will keep them connected to their communities and culture."

Arguments in Support

California State Association of Counties writes in support, "[This bill] would establish a separate, streamlined KFA process for prospective kin caregivers while preserving child safety protections. This measure recognizes that caring for kin is unique, and the focus for supporting kin caregivers should be on their ability to provide quality care, maintain connections with the child's culture and community, and maintain their overall safety. [This bill] will help maximize kin placements, honoring the child welfare system's goal of safely placing children with kin caregivers whenever possible."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Senate Appropriations Committee, CDSS estimates the following General Fund costs:

- 1) State operations costs of \$339,000 in 2026-27 and \$333,000 annually thereafter.
- 2) One-time costs of \$275,000 for automation updates for CWS-CARES and \$448,500 for automation costs for CalSAWS.
- 3) Ongoing annual costs to backfill the loss of federal Title IV-E funding for Aid to Families with Dependent Children-Foster Care is \$735,541 per 100 foster youth cases and \$581,618 per 100 non-minor dependent cases. Due to uncertainty in caseloads, the estimate was based on a cost per 100 cases. The actual caseload may potentially be lower. These costs relate to the provisions in the bill that would create a pathway for placements that received authorization by the court but were either 1) a non-relative extended family member or extended family member of an Indian child who was denied kinship family approval or 2) a non-relative extended family member or extended family member of an Indian child who was approved for the kinship family approval process but with a federal non-exemptible conviction.
- 4) The California Department of Justice indicates no significant fiscal impact to the department.
- 5) Unknown costs to local agencies for administration. Proposition 30 of 2012 provides that any legislation enacted after September 30, 2012 that has an overall effect of increasing the costs already borne by a local agency for realigned services applies to local agencies only to the extent that the state provides annual funding for the cost increase. Other costs may be potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

VOTES:**ASM HUMAN SERVICES: 7-0-0**

YES: Lee, Castillo, Calderon, Elhawary, Jackson, Solache, Tangipa

ASM JUDICIARY: 12-0-0

YES: Kalra, Macedo, Bauer-Kahan, Bryan, Connolly, Dixon, Harabedian, Pacheco, Papan, Sanchez, Stefani, Zbur

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

ASSEMBLY FLOOR: 78-0-2

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia,

Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

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UPDATED

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