

THIRD READING

Bill No: AB 2684
Author: Nguyen (D)
Amended: 5/19/26 in Assembly
Vote: 21

SENATE HUMAN SERVICES COMMITTEE: 5-0, 6/15/26

AYES: Becker, Ochoa Bogh, Laird, Pérez, Weber Pierson

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 6/30/26

AYES: Arreguín, Seyarto, Caballero, Cortese, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26

AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 79-0, 5/27/26 - See last page for vote

SUBJECT: Juveniles: nonminor dependents: out-of-state placement: visitation

SOURCE: Author

DIGEST: This bill creates a process to allow nonminor dependents (NMDs) who are placed out of state the option to have their required monthly visits with their social worker or probation officer be virtual rather than in-person.

ANALYSIS:

Existing law:

- 1) Provides that when a county social worker or probation officer makes a regular visit with a child in any licensed, certified, or approved foster home, the regular visit shall include a private discussion between the foster child and the social worker or probation officer. The private discussion shall not be held in the presence or immediate vicinity of the foster parent or caregiver. The social worker or probation officer shall advise the foster child that he or she has the right to request that the private discussion occur outside the foster home. If a

foster child requests to have the private discussion outside the foster home, that private discussion shall not replace the visit in the foster home. However, the social worker or probation officer shall not be required to schedule an additional visit to accommodate the request. The contents of the private discussion shall not be disclosed to the foster parent or caregiver, except that the social worker or probation officer may disclose information under any of the following circumstances:

- a) The social worker or probation officer believes that the foster child may be in danger of harming himself or herself, or others.
 - b) The social worker or probation officer believes that disclosure is necessary to meet the needs of the child.
 - c) The child consents to disclosure of the information. (Welfare and Institutions Code Section (WIC) 16516.6)
- 2) Provides that no more than two consecutive monthly visits may be held outside the residence of the foster child. (WIC 16516.6)
 - 3) Provides that if the visit does not occur in the place of residence, the social worker or probation officer shall document in the case file and in the court report the location of the visit and the reason for the visit occurring outside the place of residence. (WIC 16516.6)

This bill:

- 1) Provides that a social worker or probation officer shall allow nonminor dependents who are placed out of state the option to have their monthly visit through a virtual visit. A “virtual visit” means a real-time audiovisual interaction between the social worker or probation officer and the NMD.
- 2) Provides that a virtual visit may occur if the NMD provides informed consent to meet with the social worker or probation officer through a virtual visit. The virtual visit and NMD consent shall be documented by the caseworker in the case plan.
- 3) Provides that the virtual visit shall include a private discussion between the NMD and the social worker or probation officer that is not conducted in the presence or immediate vicinity of a foster parent or caregiver, unless the NMD requests otherwise. The contents of the private discussion shall not be disclosed to a foster parent or caregiver, except that the social worker or probation officer may disclose information under any of the following circumstances:

- a) The social worker or probation officer believes that the NMD may be in danger of harming themselves or others.
 - b) The social worker or probation officer believes that disclosure is necessary to meet the needs of the NMD.
 - c) The NMD consents to disclosure of the information.
 - d) Virtual visits shall include video capability for both the social worker or probation officer and NMD. If there is an unforeseen technical issue that prevents the video feed from functioning on the day of the virtual visit, the social worker or probation officer shall make a second attempt within two business days.
- 4) Provides that the location of monthly visits for each NMD who is placed out of state by a county welfare department or a county probation department shall comply with federal requirements, including virtual visits.
 - 5) Provides that if the visit does not occur in the place of residence, including through a virtual visit, the social worker or probation officer shall document in the case file and in the court report the location of the visit and the reason for the visit occurring outside the place of residence.
 - 6) Provides that if the NMD makes a request to change a planned virtual visit to an in-person visit at least five business days prior to the scheduled visit, the social worker or probation officer shall perform an in-person visit instead of the planned virtual visit. The social worker or probation officer shall accommodate the request for an in-person visit as soon as possible and may consult with their supervisor to ensure timely arrangements, including assigning another social worker or probation officer if necessary to complete the in-person visit.
 - 7) Provides that the above shall not be construed to limit the NMD's right to request an in-person visit at any time.
 - 8) Provides that the social worker or probation officer may shift a virtual visit to an in-person visit if the social worker or probation officer has any concerns regarding the safety or well-being of the NMD. The rationale for the change shall be explained to the NMD and shall be clearly documented in the case plan.
 - 9) Provides that the social worker or probation officer shall, at minimum, conduct an in-person visit with the NMD on a quarterly basis.

- 10) Requires CDSS to convene a working group by July 1, 2027 to develop guidelines for county placing agencies and attorneys representing NMD related to engaging and supporting NMD who are placed out of state.
- 11) Provides that the guidelines shall be developed with input from stakeholders, including youth with lived experience, developmental experts, attorneys representing youth in foster care between 14 and 21 years of age, representatives from county placing agencies, representatives from behavioral health service providers, and representatives from Medi-Cal managed care plans.
- 12) Provides that the guidelines shall be developmentally appropriate and include guidance on all of the following:
 - a) Assessing youth safety and well-being during a virtual visit.
 - b) Ensuring confidential and youth-centered communication during a virtual visit.
 - c) Ensuring that informed consent for virtual visits from NMDs is meaningful and developmentally appropriate.
 - d) Engagement, well-being, and connection to supportive adults and community resources for NMDs.
 - e) A proposed process to gather regular and ongoing feedback from NMDs on the quality of in-person and virtual casework visits.

Background

Author Statement. According to the author, “California's Extended Foster Care (EFC) is a beneficial program that supports our foster youth as they transition into adulthood. It ensures they meet their long-term goals and are adequately supported. AB 2684 modernizes California's Extended Foster Care Program by aligning it with federal law to allow non-minor dependents the option of conducting virtual monthly meetings with their social worker while maintaining quarterly in-person meetings.”

Extended Foster Care The intent of extended foster care is to bridge the gap between the intensive supervision of foster care and unsupervised adulthood by maintaining a safety net of support while providing the youth independence and additional educational or work opportunities. It was prompted by the recognition

that many youth were unable to successfully transition from foster care or group care to adulthood without additional guidance and assistance.

The federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (*P.L. 110-351*) enabled states to expand the definition of a foster “child,” by creating extended care for youth up to age 21. The federal law allows foster youth to remain in care past age 18 if they meet one of the following participation criteria: enrolled in high school or a high school equivalency credential; enrolled in college, community college, or vocational education; employed for at least 80 hours a month; participating in other qualifying activities or programs designed to remove barriers to employment; or medically exempt from meeting any of the other participation criteria.

In 2010, California enacted AB 12 (Beall, Chapter 559, Statutes of 2010), which permits foster youth to remain in extended foster care until age 21, under the same criteria as the federal statute. At the six month hearing prior to a youth turning 18 years old, the youth’s social worker or probation officer must submit a transitional living plan to ensure that the youth will meet at least one participation criteria, listed above, if the youth plans to participate in extended foster care. The youth must also sign an agreement to remain in foster care within six months of turning 18, reside in an eligible placement, and agree to work with their social worker to meet the goals of their transitional living plan. Additionally, existing law allows qualifying nonminors who are former foster youth under the age of 21 to petition the court for re-entry into foster care to participate in extended foster care, as provided.

The University of Chicago’s Chapin Hall conducted the California Youth Transitions to Adulthood Study (CalYOUTH) in 2018. This study evaluated the impacts of extended foster care on outcomes for transition age foster youth. The following were among the findings of the CalYOUTH study for each additional year a youth spent in extended foster care:

- Increased the probability that they completed a high school credential by about 8 percent;
- Increased their expected probability of enrolling in college by 10 to 11 percent;
- Decreased the odds that they became pregnant or impregnated an individual between the ages of 17 and 21 by 28 percent; and

- Decreased the odds of being homeless or couch-surfing between the ages of 17 and 21 by about 28 percent.

Youth participation in the program exceeded initial expectations. Between July 2010 and July 2014, the number of youth age 18-20 in extended foster care in California increased by 211 percent, from 2,908 to 9,032. As of January 1, 2020, there were an estimated 7,396 youth participating in extended foster care in California.

Visitation Requirements for NMD Social workers are required to conduct at least one in-person visit every month with every child in foster care, including children under 18 and NMD. These meetings must be held in private, away from the caregiver. Caseworker visits with a child or youth are an essential component of the child welfare system and are critical for ensuring the safety of children placed in out-of-home care. The purpose of such visits is to provide caseworkers with a consistent and recurring opportunity to spend time with families, including the child, and to forge relationships with the family that support permanency and help the family in meeting the needs of the child. This makes the in-home caseworker visits, which include opportunities to interact with the larger family and to observe the home dynamic, critical for monitoring the child's emotional and physical well-being.¹

Recent changes in federal law to the Supporting America's Children and Families Act² allow virtual monthly visits for foster youth aged 18-21 who consent to virtual visits. This bill aligns with these changes allowing the same flexibility for these foster youth who are residing out of state.

Related/Prior Legislation

SB 342 (Leno, Chapter 492, Statutes of 2013) required the mandated visits by the caseworkers of foster youth to occur in the residence of the foster youth and to include a private discussion between the foster youth and the caseworker. Required the caseworker to advise the foster youth of the right to request that the private discussion occur outside the home and clarified that if a foster youth requests to have the private discussion outside the home, it does not replace the visit in the home and does not require the caseworker to schedule an additional visit to accommodate the request. Required the location of monthly visits for each foster youth to comply with specified federal requirements. Prohibited more than two consecutive monthly visits from being held outside the residence of the foster

¹ <https://www.cdss.ca.gov/lettersnotices/entres/getinfo/acl/2014/14-50.pdf>

² <http://www.congress.gov/bill/118th-congress/house-bill/9076/text/pl>

youth and, if the visit did not occur in the place of residence, required the caseworker to document in the case file and in the court report the location of the visit and the reason for the visit occurring outside the place of residence.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

- CDSS estimates absorbable costs for convening the working group to develop implementation guidelines.
- Unknown costs to counties for administration. Some costs could be potentially reimbursable by the state, subject to a determination by the Commission on State Mandates. For other potential costs, 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.

SUPPORT: (Verified 8/14/26)

Chief Probation Officers of California
County of Fresno
County Welfare Directors Association of California
Monterey County Department of Social Services

OPPOSITION: (Verified 8/14/26)

None received

ASSEMBLY FLOOR: 79-0, 5/27/26

AYES: 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, Muratsuchi, 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

NO VOTE RECORDED: Celeste Rodriguez

Prepared by: Heather Hopkins / HUMAN S. / (916) 651-1524
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