

WORKING DRAFT

Legislative Service Office
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Document Number: 14370**Section 1.****14-9-101. Short title.**

This act shall be know as the "Community Juvenile Services Act."

14-9-102. Purpose.

(a) The purpose and intent of this act is to:

(i) Establish, maintain and promote the development of juvenile services in communities of the state aimed at allowing early identification and diversion of children at risk of entry into the juvenile court system, preventing juvenile delinquency and treating seriously emotionally disturbed youth; and

(ii) Allow decisions regarding juvenile services to be made at the local level.

(iii) Strengthen and improve community based mental health and substance abuse services for foster family involvement and community placement of juveniles;

(iv) Provide services and interventions to retain children in school and increase graduation rates;

(v) Ensure that services the community board participates in use best practices as defined in W.S. 9-2-2702(a)(i).

14-9-103. Definitions.

(a) As used in this act:

(i) "Account" means the community juvenile services block grant account created by this act;

(ii) "Community board" means a community juvenile services board providing juvenile services under this act;

(iii) "Department" means the department of family services;

(iv) "Juvenile services" means programs or services provided to children at risk of coming under the jurisdiction of the juvenile, municipal, or circuit court, including seriously emotionally disturbed youth. Programs or services may include:

- (A) Needs screening and evaluation;
 - (B) Treatment planning and follow-up;
 - (C) Case management;
 - (D) Family preservation services;
 - (E) Mental health treatment;
 - (F) Substance abuse treatment;
 - (G) Mentor and tracker services;
 - (H) Community service and restitution programs;
 - (J) Out-of-home placement;
 - (K) Juvenile probation and services;
 - (KL) Remedial education services.
- (v) "Multidisciplinary team" shall include the following:
- (A) The child's parent, parents or guardian;
 - (B) A representative of the school district who has direct knowledge of the child;
 - (C) A representative of the department of family services;
 - (D) The child's psychiatrist, psychologist or mental health professional;-and
 - (E) A representative of the district attorney or county and/or city attorney's offices; and
 - (F) Designated employees of the community board;
 - (EG) If appropriate, the following persons may also be members:
 - (I) A substance abuse specialist;
 - (II) A guardian ad litem appointed by the court;
 - (III) Other professionals or persons who have particular knowledge relating to the child, or expertise in children's services.
- (vi) "Seriously emotionally disturbed youth" means a child how has an emotional or mental disturbance that severely limits his development and welfare over a significant period of time and that requires a comprehensive and coordinated system of

care in order to meet his needs. The child must be less than eighteen (18) years of age, or less than twenty-two (22) years of age if disabled and receiving special education, and must meet all four (4) of the following:

(A) The child must have a diagnostic screening manual (latest edition) diagnosis (exceptions include V codes, adjustment disorders, mental retardation, and learning disabilities unless they co-occur with psychiatric diagnosis);

(B) The child must have a degree of impairment that consistently prevents him from functioning in at least two (2) of the following life domains: age appropriate self-care, family like, education, community living, personal hygiene, leisure time management and peer relationships. (For infants and toddlers, age 0-2 years, impaired in age appropriate development only);

(C) The disorder must have been present for at least one (1) year or is anticipated to persist for a year or longer on the basis of current (within past year) diagnosis;

(D) The severity of the child's disorder place the child at significant risk for out of school, home or community placement.

(vii) "This act" means W.S. 14-9-101 through 14-9-108.

14-9-104. Account created.

There is created the juvenile services block grant account into which shall be deposited all funds appropriated by the legislature for the purposes of this act.

14-9-105. Community juvenile services boards.

A county may, in accordance with the Wyoming Joint Powers Act, enter into an agreement with one (1) or more counties, any or all cities within the county or counties, and any or all school districts within the county or counties, to form a joint powers board to serve as a community juvenile services board under this act.

14-9-106. Community boards; powers and duties.

(a) A community board may:

- (i) Receive funds from any source;
- (ii) Employ staff using any available funds;
- (iii) Expend funds to provide directly, or to contract for, juvenile services.

- (b) Subject to this act, a community board shall:
 - (i) Review existing community juvenile services within its jurisdiction;
 - (ii) Develop a community juvenile services strategic plan and provide for periodic review of the plan;
 - (iii) Ensure that the community board's system of juvenile services provides for:
 - (A) Use of a uniform screening ~~instrument~~ process;
 - (B) Assessments of referred children by ~~licensed~~ professionals who may include medical, mental health, social service and educational personnel;
 - (C) Clear and comprehensive procedures to facilitate referrals of youth and families of youth needing services by:
 - (I) School districts;
 - (II) Law enforcement;
 - (III) Licensed mental health care providers;
 - (IV) Licensed health care providers;
 - (V) A court;
 - (VI) The department of family services;
 - (VII) Community youth organizations;
 - (VIII) Families of youth needing services;
 - (IX) Self-referred youth.
 - (D) Multidisciplinary teams for the purpose of developing and monitoring treatment plans. Multidisciplinary team members who cannot personally attend team meetings may submit reports and recommendations to the other team members.
 - (iv) Ensure that juvenile services funded under this act are established and maintained;
 - (v) ~~Transfer to the department of health responsibility for determining, and paying the expense of, the appropriate treatment for any child for whom the community board has provided or purchased services in an amount equal to or exceeding the community expense limit. The community expense limit shall be established each~~

~~year by the department of health by rule and regulation. The community expense limit may vary throughout the state, if it is based on reasonable classifications. The board shall make every effort to ensure that local resources, including mental health and substance abuse treatment resources, are utilized.~~

(c) The community board shall not provide any services to any child without first obtaining written consent from the child's parent or guardian unless participation in the program or service offered by the community board is a condition of court ordered probation or suspension of sentence. ~~A court of limited jurisdiction may authorize the community board to provide services to a child, if, after a hearing, the court finds that the child's parent or guardian unreasonably refused to provide written consent for the child to receive services.~~

14-9-107. Department of family services to administer block grant program; powers and duties.

(a) The department of family services in cooperation with the department of health and education shall administer a community juvenile services block grant program to assist communities to develop and maintain juvenile services.

(b) The departments of education, family services and health shall promulgate reasonable rules and regulations necessary to carry out the purposes of this act including rules relating to:

- (i) Grant application procedures;
- (ii) Grant eligibility;
- (iii) Procedures for distributing block grants;
- (iv) Single point of entry for juveniles and standards used by the community service board for assessing placement of juveniles.

14-9-108. Grant eligibility; allocation of funds.

- (a) To qualify for a grant under this act, an applicant shall:
- (i) Be created as a community board as provided by W.S. 14-9-105;
 - (ii) Submit a grant application;
 - (iii) Receive certification from the department of family services that the strategic plan developed by the community board addresses the purposes of this act.
 - (iv) Have procedures in place establishing a single point of entry for juveniles charged with a violation of state or municipal non-traffic related offenses, and

driving while under the influence of alcohol or controlled substances.

Section 2.

There is hereby appropriated _____ (\$_____) from the general fund to the community services block grant account created by this act.