

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH  
LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
Regular Session, 2021

H. B. 22-15

A BILL FOR AN ACT

To establish the Foster Care Sponsorship Program under the Department of  
Community and Cultural Affairs Division of Youth Services; and for other  
purposes.

**BE IT ENACTED BY THE 22<sup>ND</sup> NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE:**

1           **Section 1. Findings and Purpose.** The Legislature finds that the Division  
2 of Youth Services (DYS) under the Department of Community and Cultural Affairs  
3 (DCCA) take a proactive approach in actively engaging in our community to fulfill  
4 their mission to “promote the well-being of children, youths, and adults to  
5 strengthen families and the community as whole”. DYS-DCCA provides numerous  
6 programs to our community that serve: victims of child abuse or neglect and their  
7 families; juvenile offenders and their families; prevention program for the youths  
8 and parents in the community; low income households; and homeless individuals  
9 and families.

10           The Legislature further finds that DYS-DCCA is a recipient of a  
11 Consolidated Block Grant-Social Services Block Grant (CBG-SSBG) for Fiscal  
12 Year 2021 that will provide much needed financial assistance in covering the costs

1 of most of the services provided to the community. However, similarly to all grants,  
2 the expenditure of funds through the CBG-SSBG serves as a supplemental funding  
3 source that is restricted and insufficient to cover all costs relative to the direct needs  
4 of our community, most importantly for the children under the direct care and  
5 supervision of DYS-DCCA.

6         The Legislature finds that the DYS-DCCA's Child Protective Services  
7 (CPS) unit currently operates on a 24/7 response system for all children under their  
8 direct care or supervision or reported cases that may arise. The Child Protective  
9 Services is legally mandated to protect children who have been abused, neglected,  
10 or who may be at risk of abuse or neglect. Through its mandate, the Child Protective  
11 Services responds and intervenes to reported cases of maltreatment of a child of 17  
12 years of age or younger, providing multiple accommodations to protect the  
13 emotional, mental, and physical development of a child. Additionally, the Child  
14 Protective Services unit also provides direct supervision in the placement of a child  
15 under their Foster Care Program, which provides for a long-term care for children  
16 that cannot reside with their families for a period of time. Eligible kinship or foster  
17 parents are carefully screened and regularly monitored to ensure that a child placed  
18 in their care is at no risk for maltreatment.

19         Additionally, the Legislature finds that the resources of the Foster Care  
20 Program under the CPS-DYS-DCCA are scarce and funds are continuously needed  
21 to help our children and youths through foster care. Although DYS's ultimate goal

1 is for family reunification, the current program continues to experience longer  
2 placements in foster or kinship homes due to multiple factors preventing such  
3 reunification in many cases. Therefore, the purpose of this Act is to establish the  
4 Foster Care Sponsorship Program to provide additional social and other services,  
5 financial support and supplies to the children under the direct care and supervision  
6 of the Division of Youth Services under the Department of Community and  
7 Cultural Affairs.

8           **Section 2. Enactment.** Subject to codification by the CNMI Law Revision  
9 Commission, the following is hereby enacted to read as follows:

10           **“Article XX. Foster Care Sponsorship Program.**

11           **§101. Title.** This article may be cited as the “Commonwealth Foster Care  
12 Sponsorship Program”.

13           **§102. Foster Care Sponsorship Program.**

14           (a) There is established a Foster Care Sponsorship Program (FCSP) to serve  
15 as an extended program of the Child Protective Services and shall be managed  
16 under the Administrator of the Division of Youth Services under the Department of  
17 Community and Cultural Affairs.

18           (b) The Foster Care Sponsorship Program may work with community-based  
19 private nonprofit or for-profit agencies, public agencies, and interested citizen  
20 groups in the establishment of community foster care programs, benefits and  
21 services.

1           **§103. Purpose.** The Department in coordination with the DYS  
2 Administrator, shall, under the Foster Care Sponsorship Program (FCSP) provide  
3 all children who are 17 years of age or younger and under the direct care and  
4 supervision of the DCCA-DYS Child Protective Services with additional social and  
5 other services, financial support and supplies necessary for the care and welfare of  
6 the children.

7           **§ 104. Services; Requirements.** The foster care services made available  
8 through the Commonwealth Foster Care Sponsorship Program shall:

9           (a) in addition to meeting basic needs of the children, offer access to  
10 available services that address educational benefits and training, social and  
11 emotional difficulties, medical issues, developmental delays, learning problems,  
12 psychological and psychiatric issues, and behavioral challenges.

13           (b) be sensitive to the unique needs, strengths, and cultural values of a foster  
14 child and foster family.

15           (c) be driven by community strengths, needs, and resources.

16           (d) accept and use a variety of funds and resources, including but not limited  
17 to, legislative appropriation, DCCA funding, federal grants, CNMI grants,  
18 community donations, private and volunteer resources, in-kind, community  
19 investments, and others to provide basic necessities and additional social and other  
20 services, financial support and supplies necessary for the care and welfare of the  
21 foster children.

1           **§105. Rules and Regulations.** The Department in coordination with the  
2 DYS Administrator shall promulgate rules and regulations for the Foster Care  
3 Sponsorship Program (FCSP) to augment the services provided under the Child  
4 Protective Services. The Department or Division shall not receive any monetary  
5 donation until adoption and publication of the FCSP rules and regulations.

6           **§106. Reporting Requirement.** The Secretary of the Department of  
7 Community and Cultural Affairs in collaboration with the Administrator of the  
8 Division of Youth Services, shall report on the progress of the Foster Care  
9 Sponsorship Program (FCSP) on a quarterly basis to the governor and the presiding  
10 officers of the legislature. Report shall include all monetary donations received by  
11 private individuals and organizations with a detailed narrative of the expenses made  
12 to care for a child under the FCSP for educational materials or participation,  
13 nutritional, hygienic, clothing, bedding, medical, day-to-day needs, additional  
14 social and other services, financial support and supplies. For confidentiality  
15 purposes, the report shall not include the name of the individual child.”

16           **Section 3. Severability.** If any provisions of this Act or the application of  
17 any such provision to any person or circumstance should be held invalid by a court  
18 of competent jurisdiction, the remainder of this Act or the application of its  
19 provisions to persons or circumstances other than those to which it is held invalid  
20 shall not be affected thereby.


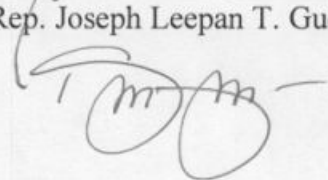
1           **Section 4. Savings Clause.** This Act and any repealer contained herein  
2 shall not be construed as affecting any existing right acquired under contract or  
3 acquired under statutes repealed or under any rule, regulation, or order adopted  
4 under the statutes. Repealers contained in this Act shall not affect any proceeding  
5 instituted under or pursuant to prior law. The enactment of the Act shall not have  
6 the effect of terminating, or in any way modifying, any liability, civil or criminal,  
7 which shall already be in existence on the date this Act becomes effective.

8           **Section 5. Effective Date.** This Act shall take effect upon its approval by  
9 the Governor, or its becoming law without such approval.

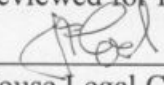
Prefiled: Feb. 4, 2021

Date: \_\_\_\_\_

Introduced by: \_\_\_\_\_

  
\_\_\_\_\_  
Rep. Joseph Leepan T. Guerrero  


Reviewed for Legal Sufficiency by:

  
\_\_\_\_\_  
House Legal Counsel