



## KIMBERLY M. PLACHE

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STATE SENATOR • TWENTY FIRST SENATE DISTRICT

March 9, 2000

TO: Sen. Judy Robson, Chairperson  
Committee Members  
Senate Committee on Human Services and Aging

FR: Sen. Kimberly Plache

RE: Senate Bill 418, which relates to the placement of a child for adoption outside of the county where the child is located.

Thank you for holding a public hearing today on Senate Bill 418. As the author, I sincerely appreciate your prompt attention to this legislation.

As you may know, I have a deep interest in adoptions. That is why the Department of Health and Family Services asked me to author Senate Bill 418.

This relatively simple bill will prohibit the denying or delaying of the placement of a child for adoption when a family member that has been approved as an appropriate adoptive placement for the child is available outside of the county where the child is located.

I want to see any unnecessary barriers to adoption removed.

Representatives from the Department of Health and Family Services are in attendance at the hearing and will be able to explain from their perspective, why there is a need for this legislation.

Thank you, again, for holding a hearing on SB 418. I ask you to please vote to recommend this bill for passage by the full senate.



State of Wisconsin  
**Department of Health and Family Services**

Tommy G. Thompson, Governor  
Joe Lekan, Secretary

**DHFS SUPPORT OF SB 418**

Over the past few years, the federal government has enacted laws that prohibit ethnic and racial barriers to adoption. With both federal IV-E funding at stake (in the event of non-compliance) and federal financial incentives available, the laws of Wisconsin should clearly state that no Wisconsin adoption agency may deny or delay the placement of a child for adoption when an approved family is available outside of the jurisdiction. 1999 Assembly Bill 821 sponsored by Rep. Ward does this and thereby affirms that the selection of a placement shall always be based on the best of the interests of the child.

**Federal Law**

In response to major concerns about the poor outcomes for minority children and the prevalence of racial preference in placement, the Congress enacted the Multiethnic Placement Act of 1994 (P.L. 103-382) and the Interethnic Placement Provisions (IEP) of 1996, (P.L. 104-188). In 1997, the Adoption and Safe Families Act (ASFA) (P.L. 105-89) was enacted to amend critical permanency issues in child welfare.

- ◆ **MEPA** outlaws discriminatory practices: MEPA forbids the delay or denial of an adoptive placement solely on the basis of the race, color, or national origin of the prospective foster parent, adoptive parent or the child involved.
- ◆ **IEP** clarifies MEPA and creates sanctions for failure to comply – IEP clarifies the intent of MEPA and adds both a penalty structure and corrective action planning for *any state or private agency* which receives Federal funds that violates these provision. Wisconsin received over \$40 million in federal IV-E funding.
- ◆ **ASFA** places children's safety as the paramount concern of all child welfare decision-making – Among ASFA's five key principles that guide the implementation of the law is the promotion of timely adoption of children who cannot return safely to their own homes and the authorization of both pre- and post-adoption services to support adoptive families as well as activities that expedite the adoption process. Ultimately, ASFA created adoption incentive payments for States to increase the number of children who are adopted, with a goal of doubling of the annual number of children adopted by the year 2002.

In 1999, Wisconsin was one of 35 states in the nation to receive the first-round of ASFA incentive payments based on the number of adoptions in excess of the previous three-year average. Wisconsin's share was \$301,015 based on our 21% increase of adoptive placements. This was good, but we can do much better. States that have demonstrated better placement increases include Illinois, Indiana, Iowa, and Minnesota, not to mention Florida and Texas.

**Please join in support of SB 418** which will assist DHFS complete permanency for children on a timely basis, bring state law in line with federal law on this important issue, avert federal financial sanctions, and help us meet our goal of doubling the placements of special needs children by 2002. Thank you.