
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguin, Chair
2025 - 2026 Regular

Bill No: AB 2684 **Hearing Date:** June 30, 2026
Author: Nguyen
Version: May 19, 2026
Urgency: No **Fiscal:** Yes
Consultant: SJ

Subject: *Juveniles: nonminor dependents: out-of-state placement: visitation*

HISTORY

Source: County Welfare Directors Association of California

Prior Legislation: SB 342 (Leno), Ch. 492, Stats. of 2013
AB 12 (Beall), Ch. 559, Stats. of 2010

Support: California Public Defenders Association; Chief Probation Officers' of California

Opposition: None known

Assembly Floor Vote: 79 - 0

PURPOSE

The purpose of this bill is to create 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 instead of in-person.

Existing law requires 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 include a private discussion between the foster child and the social worker or probation officer. Prohibits the private discussion from being held in the presence or immediate vicinity of the foster parent or caregiver. Requires the social worker or probation officer to advise the foster child that he or she has the right to request that the private discussion occur outside the foster home. (Welf. & Inst. Code, § 16516.6, subd. (a).)

Existing law prohibits the contents of the private discussion from being disclosed to the foster parent or caregiver, except that the social worker or probation officer may disclose information under any of the following circumstances:

- The social worker or probation officer believes that the foster child may be in danger of harming himself or herself, or others.
- The social worker or probation officer believes that disclosure is necessary to meet the needs of the child.
- The child consents to disclosure of the information. (Welf. & Inst. Code, § 16516.6, subd. (a).)

Existing law provides that no more than two consecutive monthly visits may be held outside the residence of the foster child. (Welf. & Inst. Code, § 16516.6, subd. (b).)

Existing law provides that if the visit does not occur in the place of residence, the social worker or probation officer must 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. (Welf. & Inst. Code, § 16516.6, subd. (c).)

This bill requires that a social worker or probation officer allow NMDs who are placed out of state the option to have their monthly visit through a virtual visit. Defines “virtual visit” as a real-time audiovisual interaction between the social worker or probation officer and the NMD.

This bill 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. Requires the virtual visit and NMD consent to be documented by the caseworker in the case plan.

This bill requires that the virtual visit 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. Prohibits the contents of the private discussion from being disclosed to a foster parent or caregiver, except that the social worker or probation officer may disclose information under any of the following circumstances:

- The social worker or probation officer believes that the NMD may be in danger of harming themselves or others.
- The social worker or probation officer believes that disclosure is necessary to meet the needs of the NMD.
- The NMD consents to disclosure of the information.

This bill requires virtual visits to include video capability for both the social worker or probation officer and NMD. Requires the social worker or probation officer to make a second attempt within two business days if there is an unforeseen technical issue that prevents the video feed from functioning on the day of the virtual visit.

This bill requires 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 comply with federal requirements, including virtual visits.

This bill requires the social worker or probation officer 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 if the visit does not occur in the place of residence, including through a virtual visit.

This bill requires the social worker or probation officer to perform an in-person visit instead of the planned virtual visit 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. Requires the social worker or probation officer to accommodate the request for an in-person visit as soon as possible and authorizes them to consult with their supervisor to ensure timely arrangements, including assigning another social worker or probation officer if necessary to complete the in-person visit.

This bill prohibits the provisions of this bill from being construed to limit the NMD's right to request an in-person visit at any time.

This bill authorizes the social worker or probation officer to 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. Requires the rationale for the change to be explained to the NMD and clearly documented in the case plan.

This bill requires that the social worker or probation officer, at minimum, conduct an in-person visit with the NMD on a quarterly basis.

This bill states that its provisions do not apply to an NMD placed in an out-of-state residential facility.

This bill provides that its provisions must be implemented only to the extent permitted by federal law and shall not be construed to reduce the percentage of required in-residence visits for purposes of federal compliance.

This bill requires CDSS to convene a working group by July 1, 2027 to develop guidelines for county placing agencies and attorneys representing NMDs related to engaging and supporting NMDs who are placed out of state.

This bill requires that the guidelines to 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.

This bill requires that the guidelines be developmentally appropriate and include guidance on all of the following:

- Assessing youth safety and well-being during a virtual visit.
- Ensuring confidential and youth-centered communication during a virtual visit.
- Ensuring that informed consent for virtual visits from NMDs is meaningful and developmentally appropriate.
- Engagement, well-being, and connection to supportive adults and community resources for NMDs.
- A proposed process to gather regular and ongoing feedback from NMDs on the quality of in-person and virtual casework visits.

COMMENTS

1. Need For This Bill

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.

2. Extended Foster Care

Extended foster care is intended to bridge the gap between the intensive supervision of foster care and unsupervised adulthood by maintaining a safety net of support and providing additional educational or work opportunities. Extended foster care was developed in recognition of the fact 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, 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.

Youth participation in the program exceeded initial expectations. Between July 2010 and July 2014, the number of youth aged 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.

3. Visitation Requirements for NMDs

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.

4. Argument in Support

The Chief Probation Officers' of California:

Under existing California law, probation departments and social workers must conduct in-person monthly visits with NMDs, regardless of where they are living. Recent federal law changes under the Supporting America's Children and Families Act (P.L. 118-258), permits virtual monthly caseworker visits for foster youth aged 18 to 21 who consent. This shift reflects both advancements in virtual communication technologies and practices for maintaining confidentiality, youth engagement, and safety checks across distance.

AB 2684 aligns California law with this new federal flexibility by authorizing NMDs living out of state to choose virtual monthly visits. This bill requires informed consent from the NMD, documentation of that consent in the case plan, and ongoing opportunities for youth to request in-person visits at any time. It also maintains a requirement for at least quarterly in-person visits.

AB 2684 modernizes visitation requirements to better reflect current federal policy and real-world practice. This bill promotes flexibility and supports continued efforts to support older foster youth in their transition journey.

-- END --

¹ CDSS, *All County Letter No. 14-50* (Dec. 24, 2014), available at <https://www.cdss.ca.gov/lettersnotices/entres/getinfo/acl/2014/14-50.pdf>.

² <https://www.govinfo.gov/content/pkg/PLAW-118publ258/pdf/PLAW-118publ258.pdf>