

# HOUSE RESEARCH

## Bill Summary

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### Overview

This bill requires foster parents to maintain a home environment free from secondhand smoke.

#### Section

- 1 Placement decisions based on best interests of the child.** Amends § 260C.212, subd. 2. Adds that a review of the home study must be completed prior to a child's placement so a determination can be made as to whether the placement will meet the needs of the child.
- 2 Duties of commissioner.** Amends § 260C.215, subd. 4. Requires the home study of prospective foster parents to address the capacity of the prospective parents to provide a smoke-free home environment for the child.
- 3 Duties of child-placing agencies.** Amends § 260C.215, subd. 6. Adds that child-placing agencies must ensure foster homes maintain a smoke-free environment and ensure foster children are protected from the effects of second-hand smoke.
- 4 Preventing exposure to secondhand smoke for children in foster care.** Amends § 260C.215 by adding subd. 9.

Paragraph (a) provides a list of settings in which a foster child must not be exposed to second hand smoke.

Paragraph (b) requires that the home study must include a plan to maintain a smoke-free environment.

Paragraph (c) instructs the child-placing agency to ask foster parents who do not provide a

**Section**

smoke-free environment to comply with a plan that includes training on the health risks of exposure to second hand smoke. Requires the agency to reassess the placement decision when a foster parent is unable to provide a smoke-free environment.

Paragraph (d) provides that placement of a child with a relative must not be affected by the requirements of this subdivision unless the relative is unable to provide for the immediate health needs of the specific child.

Paragraph (e) provides that this subdivision does not apply to traditional or spiritual Native American or religious ceremonies involving tobacco use.