

By: Hunter

H.B. No. 3815

A BILL TO BE ENTITLED

AN ACT

relating to transitional living services provided to foster youth transitioning to independent living.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 264.121(a), Family Code, is amended to read as follows:

(a) The department shall address the unique challenges facing foster children in the conservatorship of the department who must transition to independent living by:

(1) expanding efforts to improve transition planning and increasing the availability of transitional family group decision-making to all youth age 14 or older in the department's permanent managing conservatorship, including enrolling the youth in the Preparation for Adult Living Program before the age of 16;

(2) coordinating with the commission to obtain authority, to the extent allowed by federal law, the state Medicaid plan, the Title IV-E state plan, and any waiver or amendment to either plan, necessary to:

(A) extend foster care eligibility ~~and~~ ~~transition services for youth~~ up to age 21 and develop policy to permit eligible youth to return to foster care as necessary to achieve the goals of the Transitional Living Services Program; ~~and~~

(B) extend transition services for youth up to

1 age 21, or age 23 as authorized by Section 264.1214, and develop
2 policy to permit eligible youth who have exited foster care to
3 continue to participate in the Transitional Living Services Program
4 as necessary to achieve the goals of the program; and

5 (C) extend Medicaid coverage for foster care
6 youth and former foster care youth up to age 21 or age 23 as
7 authorized by Section 264.1214 with a single application at the
8 time the youth leaves foster care; and

9 (3) entering into cooperative agreements with the
10 Texas Workforce Commission and local workforce development boards
11 to further the objectives of the Preparation for Adult Living
12 Program. The department, the Texas Workforce Commission, and the
13 local workforce development boards shall ensure that services are
14 prioritized and targeted to meet the needs of foster care and former
15 foster care children and that such services will include, where
16 feasible, referrals for short-term stays for youth needing housing.

17 SECTION 2. Section 264.121(b)(3), Family Code, is amended
18 to read as follows:

19 (3) "Transitional Living Services Program" means a
20 program, administered by the department in accordance with
21 department rules and state and federal law, for youth who are age 14
22 or older but not more than 21 years of age, or 23 years of age as
23 authorized by Section 264.1214, and are currently or were formerly
24 in foster care, that assists youth in transitioning from foster
25 care to independent living. The program provides transitional
26 living services, Preparation for Adult Living Program services, and
27 Education and Training Voucher Program services.

1 SECTION 3. Section 264.121(c), Family Code, is amended to
2 read as follows:

3 (c) At the time a child enters the Preparation for Adult
4 Living Program, the department shall provide an information booklet
5 to the child and the foster parent describing the program and the
6 benefits available to the child, including extended Medicaid
7 coverage until age 21, or age 23 as authorized by Section 264.1214,
8 priority status with the Texas Workforce Commission, and the
9 exemption from the payment of tuition and fees at institutions of
10 higher education as defined by Section 61.003, Education Code. The
11 information booklet provided to the child and the foster parent
12 shall be provided in the primary language spoken by that
13 individual.

14 SECTION 4. Section 264.121(f), Family Code, is amended to
15 read as follows:

16 (f) The department shall require a person with whom the
17 department contracts for transitional living services for foster
18 youth to provide or assist youth in obtaining:

- 19 (1) housing services;
- 20 (2) job training and employment services;
- 21 (3) college preparation services;
- 22 (4) services that will assist youth in obtaining a
23 general education development certificate;
- 24 (5) services that will assist youth in developing
25 skills in food preparation;
- 26 (6) nutrition education that promotes healthy food
27 choices;

1 (7) a savings or checking account if the youth is at
2 least 18 years of age and has a source of income;

3 (8) mental health services;

4 (9) financial literacy education and civic engagement
5 lessons required under Subsection (a-2); ~~and~~

6 (10) for youth that meet the criteria under Section
7 264.1214(a), financial support for on-campus or off-campus housing
8 and utilities; and

9 (11) any other appropriate transitional living
10 service identified by the department.

11 SECTION 5. Subchapter B, Chapter 264, Family Code, is
12 amended by adding Section 264.1214 to read as follows:

13 Sec. 264.1214. MEDICAID AND TRANSITION SERVICES UNTIL AGE

14 23. (a) A youth is eligible for Medicaid and transition services
15 until the youth attains the age of 23 as long as the youth is
16 regularly attending an institution of higher education or a
17 postsecondary vocational or technical program.

18 (b) A youth who graduates from an institution of higher
19 education or a postsecondary vocational or technical program is
20 eligible for Medicaid and transition services until the earlier of:

21 (1) the youth's 23rd birthday;

22 (2) the 90th day after the date the youth graduates
23 from an undergraduate program or a postsecondary vocational or
24 technical program; or

25 (3) the date the youth begins full-time employment.

26 SECTION 6. This Act takes effect September 1, 2021.