

By: Powell, et al.

S.B. No. 1084

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the Preparation for Adult Living Program and other  
3 services for foster children transitioning to independent living.

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

5 SECTION 1. Section [264.121](#), Family Code, is amended by  
6 amending Subsections (a), (a-2), (e-1), and (g) and adding  
7 Subsections (a-7) and (e-4) to read as follows:

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

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

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

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

24 (B) extend Medicaid coverage for foster care

1 youth and former foster care youth up to age 21 with a single  
2 application at the time the youth leaves foster care; ~~and~~

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

11 (4) addressing barriers to participation in the  
12 Preparation for Adult Living Program for a youth who has a  
13 disability by making appropriate accommodations that allow the  
14 youth to meaningfully participate in the program; and

15 (5) documenting in the youth's case file any  
16 accommodations made under Subdivision (4).

17 (a-2) The experiential life-skills training under  
18 Subsection (a-1) must include:

19 (1) a financial literacy education program developed  
20 in collaboration with the Office of Consumer Credit Commissioner  
21 and the State Securities Board that:

22 (A) includes instruction on:

23 (i) obtaining and interpreting a credit  
24 score;

25 (ii) protecting, repairing, and improving a  
26 credit score;

27 (iii) avoiding predatory lending

1 practices;

2 (iv) saving money and accomplishing  
3 financial goals through prudent financial management practices;

4 (v) using basic banking and accounting  
5 skills, including balancing a checkbook;

6 (vi) using debit and credit cards  
7 responsibly;

8 (vii) understanding a paycheck and items  
9 withheld from a paycheck;

10 (viii) understanding the time requirements  
11 and process for filing federal taxes;

12 (ix) protecting financial, credit, and  
13 personally identifying information in personal and professional  
14 relationships and online;

15 (x) forms of identity and credit theft; and

16 (xi) using insurance to protect against the  
17 risk of financial loss; and

18 (B) assists a youth who has a source of income to:

19 (i) establish a savings plan and, if  
20 available, a savings account that the youth can independently  
21 manage; and

22 (ii) prepare a monthly budget that includes  
23 the following expenses:

24 (a) rent based on the monthly rent for  
25 an apartment advertised for lease during the preceding month;

26 (b) utilities based on a reasonable  
27 utility bill in the area in which the youth resides;

1 (c) telephone service based on a  
2 reasonable bill for telephone service in the area in which the youth  
3 resides;

4 (d) Internet service based on a  
5 reasonable bill for Internet service in the area in which the youth  
6 resides; and

7 (e) other reasonable monthly  
8 expenses; and

9 (2) for youth who are 17 years of age or older, lessons  
10 related to:

11 (A) insurance, including applying for and  
12 obtaining automobile insurance and residential property insurance,  
13 including tenants insurance; ~~and~~

14 (B) civic engagement, including the process for  
15 registering to vote, the places to vote, and resources for  
16 information regarding upcoming elections; and

17 (C) the documents the youth is required to  
18 receive under Subsection (e-1) prior to being discharged from  
19 foster care and how those documents may be used.

20 (a-7) The department shall ensure that before a youth leaves  
21 foster care, each youth who is 14 years of age or older has an e-mail  
22 address through which the youth may receive encrypted copies of  
23 personal documents and records.

24 (e-1) If, at the time a youth is discharged from foster  
25 care, the youth is at least 18 years of age or has had the  
26 disabilities of minority removed, the department shall provide to  
27 the youth, not later than the 30th day before the date the youth is

1 discharged from foster care, the following information and  
2 documents unless the youth already has the information or document:

3 (1) the youth's birth certificate;

4 (2) the youth's immunization records;

5 (3) the information contained in the youth's health  
6 passport;

7 (4) a personal identification certificate under  
8 Chapter 521, Transportation Code;

9 (5) a social security card or a replacement social  
10 security card, if appropriate; and

11 (6) a Medicaid card or other proof of the youth's  
12 enrollment in Medicaid or an insurance card from a health plan that  
13 provides health coverage to foster youth~~[, if appropriate].~~

14 (e-4) The youth's caseworker shall:

15 (1) assist the youth with developing a plan for  
16 keeping the documents described by Subsection (e) in a safe place;  
17 and

18 (2) inform the youth about the documents the youth is  
19 required to receive before the date the youth is discharged from  
20 foster care.

21 (g) For a youth taking prescription medication, the  
22 department shall ensure that the youth's transition plan includes  
23 provisions to assist the youth in managing the use of the medication  
24 and in managing the child's long-term physical and mental health  
25 needs after leaving foster care, including:

26 (1) provisions that inform the youth about:

27 (A) [~~(1)~~] the use of the medication;

1            (B) [~~2~~] the resources that are available to  
2 assist the youth in managing the use of the medication; and

3            (C) [~~3~~] informed consent and the provision of  
4 medical care in accordance with Section 266.010(1); and

5            (2) for each youth who is 17 years of age or older and  
6 preparing to leave foster care, a program supervised by a health  
7 care professional to assist the youth with independently managing  
8 the youth's medication.

9            SECTION 2. Subchapter B, Chapter 264, Family Code, is  
10 amended by adding Section 264.1214 to read as follows:

11            Sec. 264.1214. HOUSING FOR HOMELESS YOUTH AGING OUT OF  
12 FOSTER CARE. (a) For a youth who will voluntarily enter extended  
13 foster care on the youth's 18th birthday, the youth's caseworker  
14 shall, not later than six months before the youth's 18th birthday,  
15 complete any necessary transitional living or supervised  
16 independent living paperwork to ensure the youth has housing on the  
17 date the youth enters extended foster care. Not later than the 90th  
18 day before the youth's 18th birthday, the caseworker shall review  
19 the qualifications and requirements for the youth's housing.

20            (b) If a youth intends to continue living with the youth's  
21 substitute care provider after the youth's 18th birthday, the  
22 department shall waive any background check otherwise required for  
23 the youth to remain living with the substitute care provider.

24            (c) For a youth who continues living with the youth's  
25 substitute care provider after the youth's 18th birthday, the youth  
26 may share a bedroom with another youth who is 16 years of age or  
27 older provided the age difference between the youths does not

1 exceed two years.

2 (d) A substitute care provider who prohibits a youth from  
3 living in the facility after the youth's 18th birthday shall notify  
4 the youth's caseworker of that fact:

5 (1) not later than:

6 (A) the 90th day before the youth's 18th birthday  
7 if the facility is a foster home; or

8 (B) six months before the youth's 18th birthday  
9 if the facility is a cottage family home or general residential  
10 operation; or

11 (2) as soon as possible if the youth is placed in a  
12 foster home, cottage family home, or general residential operation  
13 less than six months before the youth's 18th birthday.

14 (e) After receiving notice under Subsection (d), the  
15 youth's caseworker shall verbally communicate with the youth about  
16 the youth's living arrangements and document the substance of the  
17 communication in the youth's case file.

18 (f) The department shall assist a youth living in a  
19 supervised independent living program arrangement to develop a  
20 rental history by allowing the youth to cosign the lease for the  
21 youth's housing provided the property owner does not object.

22 (g) The department by rule shall establish a protocol that  
23 may be implemented for a youth to prevent the youth from aging out  
24 of a residential treatment center. The protocol, if implemented,  
25 must be implemented not later than the youth's 17th birthday or at  
26 the time the youth is placed in a residential treatment center after  
27 the youth's 17th birthday.

1 SECTION 3. This Act takes effect September 1, 2021.