

## **BILL ANALYSIS**

Senate Research Center  
81R22891 UM-D

H.B. 1912  
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Health & Human Services  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Research shows that approximately 1,000 Texas youth aged out of the foster care system in 2008. These youth face many challenges when they exit the foster care system and transition into adulthood. Challenges for youth living on their own range from balancing a checkbook to obtaining employment and housing. Research shows that youth who transition out of foster care have a disproportionately high risk of being incarcerated, becoming homeless, or facing other negative outcomes.

While independent living and preparation for adult living services under the Department of Family and Protective Services (DFPS) attempt to address these challenges, improvements need to be considered. Currently, independent living services are not necessarily tailored to meet the needs of each youth. In addition, overburdened case workers have not been able to consistently ensure that documents such as driver's licenses or state identification cards, birth certificates, and Social Security cards are provided to each youth before leaving care. Without these documents, it can be impossible for youth to obtain the employment, housing, medical care, utilities, and other essentials needed to live independently.

This bill lowers the required onset of transitional living services from age 16 to age 14, requires DFPS to ensure that an assessment is done to determining the needs of each youth before the onset of preparation for adult living services, establishes a workgroup to develop a plan to improve services using best practices, requires DFPS to create a centralized method to ensure youth receive the documents needed, and requires DFPS to develop a plan to ensure that the transitional living services address the needs of youth with disabilities.

H.B. 1912 amends current law relating to the Transitional Living Services Program and the Preparation for Adult Living Program for foster children transitioning to independent living.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Section 264.121, Family Code, to read as follows:

Sec. 264.121. TRANSITIONAL LIVING SERVICES PROGRAM.

SECTION 2. Amends Section 264.121, Family Code, by amending Subsections (a) and (b), and adding Subsections (a-1), (d), (e), and (f), as follows:

(a) Requires the Department of Family and Protective Services (DFPS) to address the unique challenges facing foster children in the conservatorship of DFPS who must transition to independent living by:

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

(2) coordinating with the Health and Human Services Commission to obtain authority, to the extent allowed by federal law, the state Medicaid plan, the Title IV-E plan, and any waiver or amendment to either plan, necessary to 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, rather than the Preparation for Adult Living Program, and extend Medicaid coverage for foster care youth and former foster care youth up to age 21 with a single application at the time the youth leaves foster care; and

(3) entering into cooperative agreements with the Texas Workforce Commission (TWC) and local workforce development boards to further the objectives of the Preparation for Adult Living Program. Requires DFPS, TWC, and the local workforce development boards to ensure that services are prioritized and targeted to meet the needs of foster care and former foster care children and that such services will include, where feasible, referrals for short-term stays for youth needing housing.

(a-1) Requires DFPS to require a foster care provider to provide or assist youth who are age 14 or older in obtaining experiential life-skills training to improve their transition to independent living. Requires that experiential life-skills training be tailored to a youth's skills and abilities and may include training in practical activities that include grocery shopping, meal preparation and cooking, using public transportation, performing basic household tasks, and balancing a checkbook.

(b) Defines "local workforce development board," "Preparation for Adult Living Program," and "Transitional Living Services Program."

(d) Requires DFPS to allow a youth who is at least 18 years of age to receive transitional living services, other than foster care benefits, while residing with a person who was previously designated as a perpetrator of abuse or neglect if DFPS determines that despite the person's prior history the person does not pose a threat to the health and safety of the youth.

(e) Requires DFPS to ensure that each youth acquires a certified copy of the youth's birth certificate, a social security card or replacement social security card, as appropriate, and a personal identification certificate under Chapter 521 (Driver's Licenses and Certificates), Transportation Code, on or before the date on which the youth turns 16 years of age. Requires DFPS to designate one or more employees in the Preparation for Adult Living Program as the contact person to assist a youth who has not been able to obtain the documents described by this subsection in a timely manner from the youth's primary caseworker. Requires DFPS to ensure that all youth who are age 16 or older are provided with the contact information for the designated employees and a youth who misplaces a document provide under this subsection receives assistance in obtaining a replacement document or information on how to obtain a duplicate copy, as appropriate.

(f) Requires DFPS to require a person with whom DFPS contracts for transitional living services for foster youth to provide or assist youth in obtaining housing services; job training and employment services; college preparation services; services that will assist youth in obtaining a general education development certificate; and any other appropriate transitional living service identified by DFPS.

SECTION 3. (a) Requires DFPS, to achieve the best possible outcomes for foster care youth transitioning to independent living, to take certain actions.

(b) Requires DFPS, not later than September 1, 2010, to submit to the legislature a report that includes the transitional living services plan developed under Subsection (a) (relating to the best possible outcomes) of this section; any recommended statutory changes necessary to implement the transitional living services plan; and a request for any additional funding necessary for implementation of the transitional living services plan.

SECTION 4. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes delay of implementation until such waivers or authorizations are granted.

SECTION 5. Effective date: September 1, 2009.