

## **BILL ANALYSIS**

C.S.H.B. 1912  
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Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Research shows 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 for incarceration, homelessness, and other negative outcomes.

While current 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 individualized needs of each youth. In addition, overburdened case workers have not been able to consistently ensure that documents such as a 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 almost impossible for youth to obtain the employment, housing, medical care, utilities, and other essentials needed to live independently.

C.S.H.B. 1912 lowers the required onset of transitional living services from age 16 to age 14, requires DFPS to ensure that an assessment is done to determine 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.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1912 amends the Family Code to require the Department of Family and Protective Services (DFPS) to address the unique challenges facing foster children in the conservatorship of the department who must transition to independent living by expanding efforts to improve transition planning and increasing the availability of transitional family group decision-making to all youth age 14, rather than 16, or older in the department's permanent managing conservatorship, and adds to these efforts enrolling the youth in the Preparation for Adult Living Program before the age of 16. The bill also requires DFPS to address these challenges by coordinating with the Health and Human Services Commission to obtain the authority necessary to 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.

C.S.H.B. 1912 requires DFPS to require a foster care provider to provide or assist youth who are 14 years of age or older in obtaining experiential life-skills training to improve their transition to independent living, and requires the experiential life-skills training to be tailored to a youth's skills and abilities. The bill authorizes the experiential life-skills training to include training in practical activities that include grocery shopping, meal preparation and cooking, using public transportation, performing basic household tasks, and balancing a checkbook. The bill sets forth the definitions for the "Preparation for Adult Living Program," and the "Transitional Living Services Program." The bill 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.

C.S.H.B. 1912 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 driver's license and certificates provisions of the Transportation Code, on or before the date a youth turns 16 years of age. The bill 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 these documents in a timely manner from the youth's primary caseworker. The bill requires DFPS to ensure that all youth who are 16 years of age or older are provided with the contact information for the designated employees, and that a youth who misplaces a document receives assistance in obtaining a replacement document or information on how to obtain a duplicate copy. The bill requires DFPS to require a person with whom DFPS contracts for transitional living services for foster youth to provide or assist a 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.

C.S.H.B. 1912 requires DFPS, in achieving the best possible outcomes for foster care youth transitioning to independent living, to examine and identify, both in Texas and other states, the best practices for an individualized approach to services for foster care youth transitioning to independent living; establish a transitional living services workgroup; and develop a comprehensive transitional living services plan to improve DFPS's Transitional Living Services Program that incorporates the best practices and the recommendations of the workgroup and assists DFPS in ensuring that each foster youth who is 16 years of age or older receives an individual assessment of the youth's developmental needs and future goals, modifying the Preparation for Adult Living Program training curriculum to include online training options and a selection of training modules that may be selected to meet the needs of an individual youth, and ensuring that transitional living services are appropriate and meet the individual and specialized needs of a foster care youth with disabilities.

C.S.H.B. 1912 requires DFPS, not later than September 1, 2010, to submit a report to the legislature that includes the transitional living services plan, 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. The bill requires a state agency that is affected by a provision of the bill to request a federal waiver or authorization if the agency determines that a waiver or authorization is necessary for the implementation of the provision, and authorizes the agency to delay implementation until the federal waiver or authorization is granted.

**EFFECTIVE DATE**

September 1, 2009.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1912 differs from the original by clarifying in the definition of "Transitional Living Services Program" that the program must be administered in accordance with Department of Family and Protective Services rules and state and federal law.