

By: Rodriguez, Hughes, King of Taylor,
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H.B. No. 1912

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the Transitional Living Services Program and the
3 Preparation for Adult Living Program for foster children
4 transitioning to independent living.

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

6 SECTION 1. The heading to Section 264.121, Family Code, is
7 amended to read as follows:

8 Sec. 264.121. TRANSITIONAL [~~PREPARATION FOR ADULT~~] LIVING
9 SERVICES PROGRAM.

10 SECTION 2. Section 264.121, Family Code, is amended by
11 amending Subsections (a) and (b) and adding Subsections (a-1), (d),
12 (e), and (f) to read as follows:

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

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

22 (2) coordinating with the Health and Human Services
23 Commission to obtain authority, to the extent allowed by federal
24 law, the state Medicaid plan, the Title IV-E state plan, and any

1 waiver or amendment to either plan, necessary to:

2 (A) extend foster care eligibility and
3 transition services for youth up to age 21 and develop policy to
4 permit eligible youth to return to foster care as necessary to
5 achieve the goals of the Transitional Living Services [~~Preparation~~
6 ~~for Adult Living~~] Program; and

7 (B) extend Medicaid coverage for foster care
8 youth and former foster care youth up to age 21 with a single
9 application at the time the youth leaves foster care; and

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

18 (a-1) The department shall require a foster care provider to
19 provide or assist youth who are age 14 or older in obtaining
20 experiential life-skills training to improve their transition to
21 independent living. Experiential life-skills training must be
22 tailored to a youth's skills and abilities and may include training
23 in practical activities that include grocery shopping, meal
24 preparation and cooking, using public transportation, performing
25 basic household tasks, and balancing a checkbook.

26 (b) In this section:

27 (1) "Local [~~local~~] workforce development board" means

1 a local workforce development board created under Chapter 2308,
2 Government Code.

3 (2) "Preparation for Adult Living Program" means a
4 program administered by the department as a component of the
5 Transitional Living Services Program and includes independent
6 living skills assessment, short-term financial assistance, basic
7 self-help skills, and life-skills development and training
8 regarding money management, health and wellness, job skills,
9 planning for the future, housing and transportation, and
10 interpersonal skills.

11 (3) "Transitional Living Services Program" means a
12 program, administered by the department in accordance with
13 department rules and state and federal law, for youth who are age 14
14 or older but not more than 21 years of age and are currently or were
15 formerly in foster care, that assists youth in transitioning from
16 foster care to independent living. The program provides
17 transitional living services, Preparation for Adult Living Program
18 services, and Education and Training Voucher Program services.

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

25 (e) The department shall ensure that each youth acquires a
26 certified copy of the youth's birth certificate, a social security
27 card or replacement social security card, as appropriate, and a

1 personal identification certificate under Chapter 521,
2 Transportation Code, on or before the date on which the youth turns
3 16 years of age. The department shall designate one or more
4 employees in the Preparation for Adult Living Program as the
5 contact person to assist a youth who has not been able to obtain the
6 documents described by this subsection in a timely manner from the
7 youth's primary caseworker. The department shall ensure that:

8 (1) all youth who are age 16 or older are provided with
9 the contact information for the designated employees; and

10 (2) a youth who misplaces a document provided under
11 this subsection receives assistance in obtaining a replacement
12 document or information on how to obtain a duplicate copy, as
13 appropriate.

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

17 (1) housing services;

18 (2) job training and employment services;

19 (3) college preparation services;

20 (4) services that will assist youth in obtaining a
21 general education development certificate; and

22 (5) any other appropriate transitional living service
23 identified by the department.

24 SECTION 3. (a) To achieve the best possible outcomes for
25 foster care youth transitioning to independent living, the
26 Department of Family and Protective Services shall:

27 (1) examine and identify, both in this state and in

1 other states, the best practices for an individualized approach to
2 services for foster care youth transitioning to independent living
3 that considers the skills and abilities of each youth and provides
4 opportunities for self-determination;

5 (2) establish a transitional living services
6 workgroup that includes former foster care youth, providers of
7 life-skills and after-care services, court-appointed special
8 advocates, and other persons with expertise in the needs of
9 transition-age youth to assist the department; and

10 (3) develop a comprehensive transitional living
11 services plan to improve the department's Transitional Living
12 Services Program that incorporates the best practices identified
13 under Subdivision (1) of this subsection and the recommendations of
14 the transitional living services workgroup created under
15 Subdivision (2) of this subsection and assists the department in:

16 (A) ensuring that each foster youth who is age 16
17 or older receives an individual assessment of the youth's
18 developmental needs and future goals to be used to develop an
19 individualized transitional living services plan, tailored to the
20 youth;

21 (B) modifying the Preparation for Adult Living
22 Program training curriculum to include online training options and
23 a selection of training modules that may be selected to meet the
24 needs of an individual youth; and

25 (C) ensuring that transitional living services
26 are appropriate and meet the individual and specialized needs of a
27 foster care youth with disabilities.

1 (b) Not later than September 1, 2010, the Department of
2 Family and Protective Services shall submit to the legislature a
3 report that includes:

4 (1) the transitional living services plan developed
5 under Subsection (a) of this section;

6 (2) any recommended statutory changes necessary to
7 implement the transitional living services plan; and

8 (3) a request for any additional funding necessary for
9 implementation of the transitional living services plan.

10 SECTION 4. If before implementing any provision of this Act
11 a state agency determines that a waiver or authorization from a
12 federal agency is necessary for implementation of that provision,
13 the agency affected by the provision shall request the waiver or
14 authorization and may delay implementing that provision until the
15 waiver or authorization is granted.

16 SECTION 5. This Act takes effect September 1, 2009.