

1-1 By: Rodriguez, et al. (Senate Sponsor - Van de Putte) H.B. No. 1912
1-2 (In the Senate - Received from the House May 4, 2009;
1-3 May 6, 2009, read first time and referred to Committee on Health
1-4 and Human Services; May 13, 2009, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; May 13, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the Transitional Living Services Program and the
1-9 Preparation for Adult Living Program for foster children
1-10 transitioning to independent living.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. The heading to Section 264.121, Family Code, is
1-13 amended to read as follows:

1-14 Sec. 264.121. TRANSITIONAL [~~PREPARATION FOR ADULT~~] LIVING
1-15 SERVICES PROGRAM.

1-16 SECTION 2. Section 264.121, Family Code, is amended by
1-17 amending Subsections (a) and (b) and adding Subsections (a-1), (d),
1-18 (e), and (f) to read as follows:

1-19 (a) The department shall address the unique challenges
1-20 facing foster children in the conservatorship of the department who
1-21 must transition to independent living by:

1-22 (1) expanding efforts to improve transition
1-23 [~~discharge~~] planning and increasing the availability of
1-24 transitional family group decision-making to all youth age 14 [~~16~~]
1-25 or older in the department's permanent managing conservatorship,
1-26 including enrolling the youth in the Preparation for Adult Living
1-27 Program before the age of 16;

1-28 (2) coordinating with the Health and Human Services
1-29 Commission to obtain authority, to the extent allowed by federal
1-30 law, the state Medicaid plan, the Title IV-E state plan, and any
1-31 waiver or amendment to either plan, necessary to:

1-32 (A) extend foster care eligibility and
1-33 transition services for youth up to age 21 and develop policy to
1-34 permit eligible youth to return to foster care as necessary to
1-35 achieve the goals of the Transitional Living Services [~~Preparation~~
1-36 ~~for Adult Living~~] Program; and

1-37 (B) extend Medicaid coverage for foster care
1-38 youth and former foster care youth up to age 21 with a single
1-39 application at the time the youth leaves foster care; and

1-40 (3) entering into cooperative agreements with the
1-41 Texas Workforce Commission and local workforce development boards
1-42 to further the objectives of the Preparation for Adult Living
1-43 Program. The department, the Texas Workforce Commission, and the
1-44 local workforce development boards shall ensure that services are
1-45 prioritized and targeted to meet the needs of foster care and former
1-46 foster care children and that such services will include, where
1-47 feasible, referrals for short-term stays for youth needing housing.

1-48 (a-1) The department shall require a foster care provider to
1-49 provide or assist youth who are age 14 or older in obtaining
1-50 experiential life-skills training to improve their transition to
1-51 independent living. Experiential life-skills training must be
1-52 tailored to a youth's skills and abilities and may include training
1-53 in practical activities that include grocery shopping, meal
1-54 preparation and cooking, using public transportation, performing
1-55 basic household tasks, and balancing a checkbook.

1-56 (b) In this section:

1-57 (1) "Local [~~local~~] workforce development board" means
1-58 a local workforce development board created under Chapter 2308,
1-59 Government Code.

1-60 (2) "Preparation for Adult Living Program" means a
1-61 program administered by the department as a component of the
1-62 Transitional Living Services Program and includes independent
1-63 living skills assessment, short-term financial assistance, basic
1-64 self-help skills, and life-skills development and training

2-1 regarding money management, health and wellness, job skills,
 2-2 planning for the future, housing and transportation, and
 2-3 interpersonal skills.

2-4 (3) "Transitional Living Services Program" means a
 2-5 program, administered by the department in accordance with
 2-6 department rules and state and federal law, for youth who are age 14
 2-7 or older but not more than 21 years of age and are currently or were
 2-8 formerly in foster care, that assists youth in transitioning from
 2-9 foster care to independent living. The program provides
 2-10 transitional living services, Preparation for Adult Living Program
 2-11 services, and Education and Training Voucher Program services.

2-12 (d) The department shall allow a youth who is at least 18
 2-13 years of age to receive transitional living services, other than
 2-14 foster care benefits, while residing with a person who was
 2-15 previously designated as a perpetrator of abuse or neglect if the
 2-16 department determines that despite the person's prior history the
 2-17 person does not pose a threat to the health and safety of the youth.

2-18 (e) The department shall ensure that each youth acquires a
 2-19 certified copy of the youth's birth certificate, a social security
 2-20 card or replacement social security card, as appropriate, and a
 2-21 personal identification certificate under Chapter 521,
 2-22 Transportation Code, on or before the date on which the youth turns
 2-23 16 years of age. The department shall designate one or more
 2-24 employees in the Preparation for Adult Living Program as the
 2-25 contact person to assist a youth who has not been able to obtain the
 2-26 documents described by this subsection in a timely manner from the
 2-27 youth's primary caseworker. The department shall ensure that:

2-28 (1) all youth who are age 16 or older are provided with
 2-29 the contact information for the designated employees; and

2-30 (2) a youth who misplaces a document provided under
 2-31 this subsection receives assistance in obtaining a replacement
 2-32 document or information on how to obtain a duplicate copy, as
 2-33 appropriate.

2-34 (f) The department shall require a person with whom the
 2-35 department contracts for transitional living services for foster
 2-36 youth to provide or assist youth in obtaining:

2-37 (1) housing services;

2-38 (2) job training and employment services;

2-39 (3) college preparation services;

2-40 (4) services that will assist youth in obtaining a
 2-41 general education development certificate; and

2-42 (5) any other appropriate transitional living service
 2-43 identified by the department.

2-44 SECTION 3. (a) To achieve the best possible outcomes for
 2-45 foster care youth transitioning to independent living, the
 2-46 Department of Family and Protective Services shall:

2-47 (1) examine and identify, both in this state and in
 2-48 other states, the best practices for an individualized approach to
 2-49 services for foster care youth transitioning to independent living
 2-50 that considers the skills and abilities of each youth and provides
 2-51 opportunities for self-determination;

2-52 (2) establish a transitional living services
 2-53 workgroup that includes former foster care youth, providers of
 2-54 life-skills and after-care services, court-appointed special
 2-55 advocates, and other persons with expertise in the needs of
 2-56 transition-age youth to assist the department; and

2-57 (3) develop a comprehensive transitional living
 2-58 services plan to improve the department's Transitional Living
 2-59 Services Program that incorporates the best practices identified
 2-60 under Subdivision (1) of this subsection and the recommendations of
 2-61 the transitional living services workgroup created under
 2-62 Subdivision (2) of this subsection and assists the department in:

2-63 (A) ensuring that each foster youth who is age 16
 2-64 or older receives an individual assessment of the youth's
 2-65 developmental needs and future goals to be used to develop an
 2-66 individualized transitional living services plan, tailored to the
 2-67 youth;

2-68 (B) modifying the Preparation for Adult Living
 2-69 Program training curriculum to include online training options and

3-1 a selection of training modules that may be selected to meet the
3-2 needs of an individual youth; and

3-3 (C) ensuring that transitional living services
3-4 are appropriate and meet the individual and specialized needs of a
3-5 foster care youth with disabilities.

3-6 (b) Not later than September 1, 2010, the Department of
3-7 Family and Protective Services shall submit to the legislature a
3-8 report that includes:

3-9 (1) the transitional living services plan developed
3-10 under Subsection (a) of this section;

3-11 (2) any recommended statutory changes necessary to
3-12 implement the transitional living services plan; and

3-13 (3) a request for any additional funding necessary for
3-14 implementation of the transitional living services plan.

3-15 SECTION 4. If before implementing any provision of this Act
3-16 a state agency determines that a waiver or authorization from a
3-17 federal agency is necessary for implementation of that provision,
3-18 the agency affected by the provision shall request the waiver or
3-19 authorization and may delay implementing that provision until the
3-20 waiver or authorization is granted.

3-21 SECTION 5. This Act takes effect September 1, 2009.

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