

BILL ANALYSIS

C.S.H.B. 3815
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Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Because the age at which transitional living services provided to foster youth transitioning to independent living terminate is 21 years of age, many youth relying on these state supports while pursuing higher education are forced to try to find funding to support themselves through the end of their education or simply drop out and discontinue their educational pursuits. C.S.H.B. 3815 seeks to address this issue and ensure that current and former foster care youth are able to obtain the care necessary to set them on the right path to future success by extending the age limits for extended foster care and transition services, as well as Medicaid coverage, for these youth until 23 years of age and 26 years of age, respectively.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 3815 amends the Family Code to require the Department of Family and Protective Services (DFPS) to coordinate 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 state plan, and any waiver or amendment to either plan, necessary to do the following as part of the DFPS effort to address the unique challenges facing foster children in DFPS conservatorship who must transition to independent living:

- increase the age limit for extended foster care and transition services for youth from 21 years of age to 23 years of age;
- increase the age at which a current or former foster care youth ages out of the STAR Health Medicaid program from 21 years of age to 26 years of age; and
- allow youth who are 14 years of age or older but not more than 26 years of age to participate in the Education and Training Voucher Program as long as the student is making satisfactory progress toward completion of the program.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3815 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include the original's provisions doing the following:

- extending the eligibility of a youth for Medicaid and transition services until the youth attains the age of 23 as long as they are regularly attending an institution of higher education or a postsecondary vocational or technical program;
- requiring a transitional living services provider to provide financial support for on-campus or off-campus housing and utilities for such eligible youth;
- requiring DFPS to develop policy to permit eligible youth who have exited foster care to continue to participate in the Transitional Living Services Program as necessary to achieve the goals of the program; and
- extending the eligibility of a youth who graduates from an institution of higher education or a postsecondary vocational or technical program for Medicaid and transition services until the earlier of their 23rd birthday, the 90th day after graduation, or the date they begin full-time employment.

Instead, the substitute does the following, without the conditions imposed in the original:

- increases the age limit for extended foster care eligibility and transition services to 23 years of age; and
- increases the age at which a current or former foster care youth ages out of the STAR Health Medicaid program from 21 years of age to 26 years of age.

The substitute also provides for students who are 14 years of age or older but not more than 26 years of age to be able to participate in the Education and Training Voucher Program as long as they are making satisfactory progress toward completion of the program, whereas the original did not provide for this participation.

The substitute includes a specification absent from the original that the Transitional Living Services Program includes the provision of extended foster care.