87R5619 BDP-D

By:  Hunter H.B. No. 3815

A BILL TO BE ENTITLED

AN ACT

relating to transitional living services provided to foster youth transitioning to independent living.

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

SECTION 1.  Section 264.121(a), Family Code, is amended to read as follows:

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

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

(2)  coordinating with the 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:

(A)  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; [~~and~~]

(B)  extend transition services for youth up to age 21, or age 23 as authorized by Section 264.1214, and 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

(C)  extend Medicaid coverage for foster care youth and former foster care youth up to age 21 or age 23 as authorized by Section 264.1214 with a single application at the time the youth leaves foster care; and

(3)  entering into cooperative agreements with the Texas Workforce Commission and local workforce development boards to further the objectives of the Preparation for Adult Living Program. The department, the Texas Workforce Commission, and the local workforce development boards shall 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.

SECTION 2.  Section 264.121(b)(3), Family Code, is amended to read as follows:

(3)  "Transitional Living Services Program" means a program, administered by the department in accordance with department rules and state and federal law, for youth who are age 14 or older but not more than 21 years of age, or 23 years of age as authorized by Section 264.1214, and are currently or were formerly in foster care, that assists youth in transitioning from foster care to independent living. The program provides transitional living services, Preparation for Adult Living Program services, and Education and Training Voucher Program services.

SECTION 3.  Section 264.121(c), Family Code, is amended to read as follows:

(c)  At the time a child enters the Preparation for Adult Living Program, the department shall provide an information booklet to the child and the foster parent describing the program and the benefits available to the child, including extended Medicaid coverage until age 21, or age 23 as authorized by Section 264.1214, priority status with the Texas Workforce Commission, and the exemption from the payment of tuition and fees at institutions of higher education as defined by Section 61.003, Education Code. The information booklet provided to the child and the foster parent shall be provided in the primary language spoken by that individual.

SECTION 4.  Section 264.121(f), Family Code, is amended to read as follows:

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

(1)  housing services;

(2)  job training and employment services;

(3)  college preparation services;

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

(5)  services that will assist youth in developing skills in food preparation;

(6)  nutrition education that promotes healthy food choices;

(7)  a savings or checking account if the youth is at least 18 years of age and has a source of income;

(8)  mental health services;

(9)  financial literacy education and civic engagement lessons required under Subsection (a-2); [~~and~~]

(10)  for youth that meet the criteria under Section 264.1214(a), financial support for on-campus or off-campus housing and utilities; and

(11)  any other appropriate transitional living service identified by the department.

SECTION 5.  Subchapter B, Chapter 264, Family Code, is amended by adding Section 264.1214 to read as follows:

Sec. 264.1214.  MEDICAID AND TRANSITION SERVICES UNTIL AGE 23. (a) A youth is eligible for Medicaid and transition services until the youth attains the age of 23 as long as the youth is regularly attending an institution of higher education or a postsecondary vocational or technical program.

(b)  A youth who graduates from an institution of higher education or a postsecondary vocational or technical program is eligible for Medicaid and transition services until the earlier of:

(1)  the youth's 23rd birthday;

(2)  the 90th day after the date the youth graduates from an undergraduate program or a postsecondary vocational or technical program; or

(3)  the date the youth begins full-time employment.

SECTION 6.  This Act takes effect September 1, 2021.