

AN ACT

relating to the Preparation for Adult Living Program and other services for foster children transitioning to independent living.

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

SECTION 1. Section 264.121, Family Code, is amended by amending Subsections (a), (a-2), (a-6), (e-1), and (g) and adding Subsections (a-7) and (e-4) 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 Medicaid coverage for foster care

1 youth and former foster care youth up to age 21 with a single
2 application at the time the youth leaves foster care; ~~and~~

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

11 (4) addressing barriers to participation in the
12 Preparation for Adult Living Program for a youth who has a
13 disability by making appropriate accommodations that allow the
14 youth to meaningfully participate in the program; and

15 (5) documenting in the youth's case file any
16 accommodations made under Subdivision (4).

17 (a-2) The experiential life-skills training under
18 Subsection (a-1) must include:

19 (1) a financial literacy education program developed
20 in collaboration with the Office of Consumer Credit Commissioner
21 and the State Securities Board that:

22 (A) includes instruction on:

23 (i) obtaining and interpreting a credit
24 score;

25 (ii) protecting, repairing, and improving a
26 credit score;

27 (iii) avoiding predatory lending

1 practices;

2 (iv) saving money and accomplishing
3 financial goals through prudent financial management practices;

4 (v) using basic banking and accounting
5 skills, including balancing a checkbook;

6 (vi) using debit and credit cards
7 responsibly;

8 (vii) understanding a paycheck and items
9 withheld from a paycheck;

10 (viii) understanding the time requirements
11 and process for filing federal taxes;

12 (ix) protecting financial, credit, and
13 personally identifying information in personal and professional
14 relationships and online;

15 (x) forms of identity and credit theft; and

16 (xi) using insurance to protect against the
17 risk of financial loss; and

18 (B) assists a youth who has a source of income to:

19 (i) establish a savings plan and, if
20 available, a savings account that the youth can independently
21 manage; and

22 (ii) prepare a monthly budget that includes
23 the following expenses:

24 (a) rent based on the monthly rent for
25 an apartment advertised for lease during the preceding month;

26 (b) utilities based on a reasonable
27 utility bill in the area in which the youth resides;

1 (c) telephone service based on a
2 reasonable bill for telephone service in the area in which the youth
3 resides;

4 (d) Internet service based on a
5 reasonable bill for Internet service in the area in which the youth
6 resides; and

7 (e) other reasonable monthly
8 expenses; and

9 (2) for youth who are 17 years of age or older, lessons
10 related to:

11 (A) insurance, including applying for and
12 obtaining automobile insurance and residential property insurance,
13 including tenants insurance; ~~and~~

14 (B) civic engagement, including the process for
15 registering to vote, the places to vote, and resources for
16 information regarding upcoming elections; and

17 (C) the documents the youth is required to
18 receive under Subsection (e-1) prior to being discharged from
19 foster care and how those documents may be used.

20 (a-6) The department, in coordination with the Texas Higher
21 Education Coordinating Board ~~[stakeholders]~~, shall establish a
22 work group to develop a plan to ensure that foster youth who
23 complete ~~[standardize]~~ the standardized curriculum for the
24 Preparation for Adult Living Program are eligible to receive
25 college credit for completing the program. The work group must
26 include representatives from urban and rural institutions of higher
27 education, as defined by Section 61.003, Education Code. In

1 developing its evidence-based recommendations, the work group
2 shall consider the feasibility of implementing each
3 recommendation, a foster youth's access to the Preparation for
4 Adult Living Program, and the average length of time a foster youth
5 will remain in a placement [~~that ensures that youth 14 years of age~~
6 ~~or older enrolled in the program receive relevant and~~
7 ~~age-appropriate information and training~~]. The department shall
8 report the plan to the legislature not later than November
9 ~~[December]~~ 1, 2022 [~~2018~~]. This subsection expires September 1,
10 2023.

11 (a-7) The department shall ensure that before a youth leaves
12 foster care, each youth who is 14 years of age or older has an e-mail
13 address through which the youth may receive encrypted copies of
14 personal documents and records.

15 (e-1) If, at the time a youth is discharged from foster
16 care, the youth is at least 18 years of age or has had the
17 disabilities of minority removed, the department shall provide to
18 the youth, not later than the 30th day before the date the youth is
19 discharged from foster care, the following information and
20 documents unless the youth already has the information or document:

- 21 (1) the youth's birth certificate;
- 22 (2) the youth's immunization records;
- 23 (3) the information contained in the youth's health
24 passport;
- 25 (4) a personal identification certificate under
26 Chapter 521, Transportation Code;
- 27 (5) a social security card or a replacement social

1 security card, if appropriate; and

2 (6) a Medicaid card or other proof of the youth's
3 enrollment in Medicaid or an insurance card from a health plan that
4 provides health coverage to foster youth~~[, if appropriate]~~.

5 (e-4) The youth's caseworker shall:

6 (1) assist the youth with developing a plan for
7 keeping the documents described by Subsection (e) in a safe place;
8 and

9 (2) inform the youth about the documents the youth is
10 required to receive before the date the youth is discharged from
11 foster care.

12 (g) For a youth taking prescription medication, the
13 department shall ensure that the youth's transition plan includes
14 provisions to assist the youth in managing the use of the medication
15 and in managing the child's long-term physical and mental health
16 needs after leaving foster care, including:

17 (1) provisions that inform the youth about:

18 (A) [~~(1)~~] the use of the medication;

19 (B) [~~(2)~~] the resources that are available to
20 assist the youth in managing the use of the medication; and

21 (C) [~~(3)~~] informed consent and the provision of
22 medical care in accordance with Section 266.010(1); and

23 (2) for each youth who is 17 years of age or older and
24 preparing to leave foster care, a program supervised by a health
25 care professional to assist the youth with independently managing
26 the youth's medication.

27 SECTION 2. Subchapter B, Chapter 264, Family Code, is

1 amended by adding Section 264.1214 to read as follows:

2 Sec. 264.1214. HOUSING FOR HOMELESS YOUTH AGING OUT OF
3 FOSTER CARE. (a) For a youth who will voluntarily enter extended
4 foster care on the youth's 18th birthday, the youth's caseworker
5 shall, not later than six months before the youth's 18th birthday,
6 complete any necessary transitional living or supervised
7 independent living paperwork to ensure the youth has housing on the
8 date the youth enters extended foster care. Not later than the 90th
9 day before the youth's 18th birthday, the caseworker shall review
10 the qualifications and requirements for the youth's housing.

11 (b) If a youth intends to continue living with the youth's
12 substitute care provider after the youth's 18th birthday, the
13 department shall waive any background check otherwise required for
14 the youth to remain living with the substitute care provider.

15 (c) For a youth who continues living with the youth's
16 substitute care provider after the youth's 18th birthday, the youth
17 may share a bedroom with another youth who is 16 years of age or
18 older provided the age difference between the youths does not
19 exceed two years.

20 (d) A substitute care provider who prohibits a youth from
21 living in the facility after the youth's 18th birthday shall notify
22 the youth's caseworker of that fact:

23 (1) not later than:

24 (A) the 90th day before the youth's 18th birthday
25 if the facility is a foster home; or

26 (B) six months before the youth's 18th birthday
27 if the facility is a cottage family home or general residential

1 operation; or

2 (2) as soon as possible if the youth is placed in a
3 foster home, cottage family home, or general residential operation
4 less than six months before the youth's 18th birthday.

5 (e) After receiving notice under Subsection (d), the
6 youth's caseworker shall verbally communicate with the youth about
7 the youth's living arrangements and document the substance of the
8 communication in the youth's case file.

9 (f) The department shall assist a youth living in a
10 supervised independent living program arrangement to develop a
11 rental history by allowing the youth to cosign the lease for the
12 youth's housing provided the property owner does not object.

13 (g) The department by rule shall establish a protocol that
14 may be implemented for a youth to prevent the youth from aging out
15 of a residential treatment center. The protocol, if implemented,
16 must be implemented not later than the youth's 17th birthday or at
17 the time the youth is placed in a residential treatment center after
18 the youth's 17th birthday.

19 SECTION 3. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 700 was passed by the House on May 6, 2021, by the following vote: Yeas 146, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 700 on May 28, 2021, by the following vote: Yeas 138, Nays 9, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 700 was passed by the Senate, with amendments, on May 24, 2021, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor