

SENATE AMENDMENTS

2nd Printing

By: J. Johnson of Harris, Lopez, Frank

H.B. No. 700

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of foster children to receive college credit for completing the Preparation for Adult Living Program.

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

SECTION 1. Section 264.121(a-6), Family Code, is amended to read as follows:

(a-6) The department, in coordination with the Texas Higher Education Coordinating Board [~~stakeholders~~], shall establish a work group to develop a plan to ensure that foster youth who complete [~~standardize~~] the standardized curriculum for the Preparation for Adult Living Program are eligible to receive college credit for completing the program. The work group must include representatives from urban and rural institutions of higher education, as defined by Section 61.003, Education Code. In developing its evidence-based recommendations, the work group shall consider the feasibility of implementing each recommendation, a foster youth's access to the Preparation for Adult Living Program, and the average length of time a foster youth will remain in a placement [~~that ensures that youth 14 years of age or older enrolled in the program receive relevant and age-appropriate information and training~~]. The department shall report the plan to the legislature not later than November [~~December~~] 1, 2022 [~~2018~~]. This subsection expires September 1, 2023.

1 SECTION 2. This Act takes effect September 1, 2021.

ADOPTED

MAY 24 2021

Lately Law
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY:

Beverly Powell

1 Amend H.B. No. 700 (senate committee printing) as follows:

2 (1) Strike the recital to SECTION 1 of the bill (page 1, lines
3 23 and 24) and substitute the following:

4 SECTION 1. Section 264.121, Family Code, is amended by
5 amending Subsections (a), (a-2), (a-6), (e-1), and (g) and adding
6 Subsections (a-7) and (e-4) to read as follows:

7 (2) In SECTION 1 of the bill, in amended Section 264.121,
8 Family Code (page 1, between lines 24 and 25) insert the following:

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

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

17 (2) coordinating with the commission to obtain
18 authority, to the extent allowed by federal law, the state Medicaid
19 plan, the Title IV-E state plan, and any waiver or amendment to
20 either plan, necessary to:

21 (A) extend foster care eligibility and transition
22 services for youth up to age 21 and develop policy to permit
23 eligible youth to return to foster care as necessary to achieve
24 the goals of the Transitional Living Services Program; and

25 (B) extend Medicaid coverage for foster care youth

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

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

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

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

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

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

23 (A) includes instruction on:

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

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

1 (iii) avoiding predatory lending 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
3 youth 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 expenses;
8 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 receive
18 under Subsection (e-1) prior to being discharged from foster care
19 and how those documents may be used.

20 (3) In SECTION 1 of the bill, in amended Section 264.121,
21 Family Code (page 1, between lines 42 and 43) insert the following:

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

26 (e-1) If, at the time a youth is discharged from foster care,
27 the youth is at least 18 years of age or has had the disabilities

1 of minority removed, the department shall provide to the youth,
2 not later than the 30th day before the date the youth is discharged
3 from foster care, the following information and documents unless
4 the youth already has the information or document:

5 (1) the youth's birth certificate;

6 (2) the youth's immunization records;

7 (3) the information contained in the youth's health
8 passport;

9 (4) a personal identification certificate under Chapter
10 521, Transportation Code;

11 (5) a social security card or a replacement social
12 security card, if appropriate; and

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

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

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

19 (2) inform the youth about the documents the youth is
20 required to receive before the date the youth is discharged from
21 foster care.

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

27 (1) provisions that inform the youth about:

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

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

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

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

10 (4) Add the following appropriately numbered SECTION to the
11 bill and renumber subsequent SECTIONS of the bill accordingly:

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

14 Sec. 264.1214. HOUSING FOR HOMELESS YOUTH AGING OUT OF
15 FOSTER CARE. (a) For a youth who will voluntarily enter extended
16 foster care on the youth's 18th birthday, the youth's caseworker
17 shall, not later than six months before the youth's 18th birthday,
18 complete any necessary transitional living or supervised
19 independent living paperwork to ensure the youth has housing on
20 the date the youth enters extended foster care. Not later than
21 the 90th day before the youth's 18th birthday, the caseworker shall
22 review the qualifications and requirements for the youth's
23 housing.

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

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

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

9 (1) not later than:

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

12 (B) six months before the youth's 18th birthday if
13 the facility is a cottage family home or general residential
14 operation; or

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

18 (e) After receiving notice under Subsection (d), the youth's
19 caseworker shall verbally communicate with the youth about the
20 youth's living arrangements and document the substance of the
21 communication in the youth's case file.

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

26 (g) The department by rule shall establish a protocol that
27 may be implemented for a youth to prevent the youth from aging out

1 of a residential treatment center. The protocol, if implemented,
2 must be implemented not later than the youth's 17th birthday or at
3 the time the youth is placed in a residential treatment center
4 after the youth's 17th birthday.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 27, 2021

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB700 by Johnson, Jarvis (Relating to the eligibility of foster children to receive college credit for completing the Preparation for Adult Living Program.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend Family Code to require the Department of Family and Protective Services (DFPS) to address barriers for youth with disabilities to participate in the Preparation for Adult Living Program and to ensure all youth participating in the program are provided certain information and services. The bill would also require DFPS to provide certain information and services on housing to assist youth entering extended foster care.

The bill would amend the Family Code to require DFPS, in coordination with the Texas Higher Education Coordinating Board (THECB), to establish a work group to develop a plan to ensure foster care youth who complete the standardized Preparation for Adult Living curriculum are eligible to receive college credit for completing the program.

Based on analysis of DFPS and information provided by THECB, this analysis assumes there would be minimal costs associated with implementing the provisions of the bill that could be absorbed within current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family & Protective Services, 781 Higher Education Coordinating Board

LBB Staff: JMc, AKI, AN, JLI

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 20, 2021

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB700 by Johnson, Jarvis (Relating to the eligibility of foster children to receive college credit for completing the Preparation for Adult Living Program.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code to require the Department of Family and Protective Services (DFPS), in coordination with the Texas Higher Education Coordinating Board (THECB), to establish a work group to develop a plan to ensure foster care youth who complete the standardized Preparation for Adult Living curriculum are eligible to receive college credit for completing the program.

Based on analysis of DFPS and information provided by THECB, this analysis assumes there would be minimal costs associated with implementing the provisions of the bill that could be absorbed within current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family & Protective Services, 781 Higher Education Coordinating Board

LBB Staff: JMc, AKI, AN, JLI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 19, 2021

TO: Honorable James B. Frank, Chair, House Committee on Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB700 by Johnson, Jarvis (Relating to the eligibility of foster children to receive college credit for completing the Preparation for Adult Living Program.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Family Code to require the Department of Family and Protective Services (DFPS), in coordination with the Texas Higher Education Coordinating Board (THECB), to establish a work group to develop a plan to ensure foster care youth who complete the standardized Preparation for Adult Living curriculum are eligible to receive college credit for completing the program.

Based on analysis of DFPS and information provided by THECB, this analysis assumes there would be minimal costs associated with implementing the provisions of the bill that could be absorbed within current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family & Protective Services, 781 Higher Education Coordinating Board

LBB Staff: JMc, AKI, JLI, AN