

# ALASKA STATE LEGISLATURE



REPRESENTATIVE LES GARA

## MEMORANDUM

DATE: March 11, 2009

TO: Representative Wes Keller  
Representative Bob Herron

FROM: Representative Les Gara

RE: Departments affected by HB126

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Department of Health and Social Services  
Department of Education  
University of Alaska

## **Facing Foster Care in Alaska** **Policy Agenda 2008**

*In May of 2008, the youth and alumni of Facing Foster Care in Alaska, (FFCA) came together from across the state and gathered in Anchorage to share their ideas and experiences about life in Alaska's foster care system. During their gathering youth/alumni brainstormed ideas on what they thought would be most beneficial to them and others in foster care in Alaska. As a result of these ideas, the members of FFCA voted to create this policy agenda.*

### **Tuition Waivers for ALL foster youth in the state of Alaska**

The University of Alaska Anchorage currently offers 10 Presidential Tuition Waivers a year to foster youth who are eligible for the OCS Independent Living Program. A young person must have been in foster care on or after their 16<sup>th</sup> birthday for six consecutive months in order to be eligible for the waiver program. Since these waivers are competing, not every young person in Alaska who applies will receive one. Youth who are placed in a guardianship, adopted, or reunified before age 16 are not eligible to apply for the waiver. Many states provide Tuition Waivers or other forms of reimbursement for college expenses to foster youth interested in pursuing post-secondary education. The youth and alumni of FFCA feel that by providing All of Alaska's foster youth with tuition waivers there would be a higher percentage of foster youth attending post-secondary education. Studies show that approximately 17% of young people who exit foster care pursue post-secondary education, and only about 1% graduate from a four year degree or certificate program. FFCA would like to see that All of Alaska's foster youth are provided with tuition waivers to reduce the stress of worrying about college expenses and knowing that they are guaranteed a higher education.

### **Support to foster youth pursuing post-secondary education**

Many of the youth and alumni who attend post-secondary education programs in Alaska have complained about not having any supports to help them achieve their goals. FFCA members would like to see that universities and vocational programs have supports put in place for foster youth transitioning to higher education. FFCA members recommended adult or alumni mentors, a family to spend the holidays with, and someone within the

university or vocational program to talk with about stressors. If every youth in Alaska's foster care system made a permanent connection with a caring adult during their stay in foster care this would be less of an issue. FFCA members also recommended implementing the, "Circles of Support Program," to ensure youth in care are making permanent connections with caring adults before exiting from care.

### **More Independent Living Funds going to youth/alumni**

The state of Alaska currently gets approximately \$500,000 a year (FY2008 \$518,814) in Federal Chafee funds to be used for youth in foster care to work toward independent living. There is currently no state match for this money and it is being stretched very thin as the states Independent Living Program grows, and begins to offer more programs and resources to youth in transition. The youth and alumni of FFCA would like to see that more of this money is offered to youth and alumni transitioning from foster care for housing, education, life skills training, and anything that may support them in becoming independent productive members of society. FFCA is also aware that many states provide a match for the Chafee dollars they receive and would like to see that this is made possible by the state of Alaska.

### **Transitional Living for youth**

Alaska currently allows for youth who turn 18 in foster care the option to extend their time in state custody until the age of 20. There many states that allow for youth to extend custody until age 21, or to leave custody and re-enter if they are willing to pursue post-secondary education. According to the Alaskan Alumni Study 38% of Alaska's alumni reported being homeless after exiting foster care. The Covenant House Shelter in Anchorage reports that two-thirds of their current population is comprised of current and former OCS youth. The youth and alumni of FFCA would like to see a stronger focus in the area of transitional housing for youth who exit from the foster care system. FFCA members shared ideas and recommend allowing youth to remain in state custody while living in college dorms, apartments on their own, or other least restrictive environments outside of the traditional family foster home after reaching age 18.

## **Independent Housing Program**

Some states currently allow for foster youth to live, "on their own," after reaching age 18, but to remain in state custody and receive foster care payments on behalf of themselves until the age of 21. This allows for foster youth to continue services with their social worker as well as other services offered to youth in custody, and learn to successfully transition out of state custody. The youth and alumni of FFCA would like to see a program such as this put into place in Alaska, or for the state to consider more creative placements for young people once they reach 18, but are not ready to exit from foster care.

## **Medicaid increased to age 21 under the Chafee Independence Act**

There are currently 17 states that have chosen to enact the Chafee option to extend Medicaid to age 21 for former foster youth, Alaska is not one of these states. Currently, youth in Alaska's foster care system can receive Denali Kid Care until age 19 under the 1115 Waiver. After age 19 these young people can apply for adult Medicaid, but this holds them back from obtaining decent paying jobs and forces them to choose to go without medical coverage. Youth in foster care often attend counseling and have other medical needs, but they are forced to cut off many of these services when they leave custody. The youth and alumni of FFCA would like to see that Medicaid is increased for Alaska's foster youth to age 21 under the Chafee Foster Care Independence Act.

## **Braces covered under Medicaid**

Children and youth in Alaska's foster care system often have only their Basic needs met because there is a strong emphasis on safety and permanency. There is little or no value put on whether a young person in custody needs braces, as this is usually a cosmetic procedure that parents would normally pay for. The youth and alumni of FFCA felt very strongly about this issue and believe that braces should be covered under Medicaid or by OCS. FFCA members discussed how braces could support higher self-esteem for a young person in foster care, and would give them one less thing to worry about besides the social pressures they face as a, "foster youth." FFCA is also aware that braces are covered under Medicaid in the state of Texas, so this could be an option for Alaska.

### **Decreased use of Psychotropic Medication for Alaska's foster youth**

Many of Alaska's youth and alumni complain about being prescribed psychotropic medications after entering the foster care system for symptoms of depression, anxiety, trauma, attachment issues, and misbehavior. The youth and alumni of FFCA feel that these are all normal symptoms of child maltreatment and dealing with all that comes out of being placed in foster care. There has been a national focus on the use of psychotropic medications being over-prescribed for children and youth in foster care. FFCA members have also complained about side-effects caused by these medications resulting in a decreased ability to focus on their education as well as function in everyday society. The youth and alumni of FFCA would like to see that the prescription of psychotropic medications for Alaska's foster children and youth is decreased and reviewed more closely.

## **Definitions (according to FFCA)**

Youth- A young person currently in state custody ( foster care).

Alumni- A person who has spent any period of time in the foster care system

## **Facing Foster Care in Alaska (FFCA)**

*Mission Statement: Our mission is to improve the foster care system through sharing our experiences, supporting and educating youth and social services and implementing positive change in society as a whole.*

FFCA is Alaska's only foster care advocacy organization completely run by youth and alumni of the foster care system. Since their inception in 2003, FFCA has been working to improve Alaska's foster care system by sharing their experiences with people who can create positive changes for Alaska's foster youth. FFCA is a statewide organization that provides support to Alaska's foster youth and alumni and, gives them the ability to share their voice and become leaders in their community.

## **Acknowledgements**

This document was drafted using the feedback from the youth and alumni of Facing Foster Care in Alaska (FFCA). Statistics and information provided by Casey Family Programs and the Office of Children's Services as well as, various other child welfare resources. For questions regarding the content of this policy agenda contact: Amanda Metivier *FFCA President* [Ametivier@casey.org](mailto:Ametivier@casey.org)



## **CWLA 2008 Children's Legislative Agenda**

### **Youth Services**

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#### **Action**

- Pass the Foster Care Continuing Opportunities Act.
- Pass the Medicaid Foster Care Coverage Act.
- Expand eligibility and improve services to youth in the child welfare system, or who were formerly in child welfare, through the John H. Chafee Foster Care Independence Program. Expand eligibility for independent living services to age 24, including room and board. Increase funding to at least \$200 million to support expansion of eligibility and services.
- Improve education opportunities for youth in foster care by making improvements to the Education and Training Voucher program. Increase funding for the voucher program to at least \$60 million and ensure all of the funds are used for this purpose.
- Include provisions in the reauthorization of the No Child Left Behind Act to enhance education supports for children in foster care.
- Provide the necessary resources for implementing the National Youth in Transition Database.

#### **History**

Federal support for independent living services for foster youth began in 1986 when Title IV-E was amended to include the Independent Living Program to assist youth who would eventually be emancipated from foster care. In 1993, Congress permanently extended the authority for independent living. Significant improvements were enacted in 1999 with passage of the John H. Chafee Foster Care Independence Program, in honor of the Rhode Island senator who was one of the law's sponsors and who died before it was enacted. The law allows states to extend Medicaid coverage to former foster children between 18 and 21 years old, and funding was doubled to \$140 million per year, which became effective in 2001. Also in 2001, Congress authorized an additional \$60 million in discretionary funds for education and training vouchers for youth who are eligible for the Foster Care Independence Program, as well as youth who are adopted from foster care after reaching age 16.

#### **Foster Care Continuing Opportunities Act**

Senator Barbara Boxer (D-CA) introduced the Foster Care Continuing Opportunities Act (S. 1512) on May 24, 2007. This legislation would extend Title IV-E foster care funding to age 21.

In 2005, 24,211 young people left foster care simply because they became too old. This is referred to as aging-out of foster care. Many young people transitioning out of the foster care system face great instability once finding themselves on their own, with few, if any, financial resources, no place to live, and little or no support from family, friends, and community. The experiences of these youth place them at higher risk for unemployment, poor educational outcomes, health issues, early parenthood, long-term dependency on public assistance, increased rates of incarceration, and homelessness.

This legislation would simply amend the current law that defines foster children to age 18. States would have an option to extend this to age 21. Under current law, limited funds are available under the John H. Chafee Foster Care Independence Program (*see below*).

### **Medicaid Foster Care Coverage Act**

Rep. Dennis Cardoza (D-CA) introduced the Medicaid Foster Care Coverage Act (H.R. 1376) on March 7, 2007. This legislation amends title XIX of the Social Security Act to establish independent foster care adolescents as a mandatory category of individuals for coverage under state Medicaid programs.

For young people leaving foster care, lack of health care poses a substantial challenge. The Chafee Program allows states to extend Medicaid coverage to former foster children between ages 18 and 21. Despite Medicaid's tremendous advantage for youth in foster care, only 17 states had implemented the extension by early 2007.

Given the high rates of physical and mental health problems extensively documented among children and youth in foster care, access to health services is a critical factor as young people transition to adulthood. Because most children and youth in foster care are covered by Medicaid, use of the expansion option would allow a state to readily facilitate the transfer of a youth's Medicaid eligibility from one category to another without any gap in coverage as they exit foster care. Medicaid coverage should continue for all foster youth until at least age 21. Keeping medical records up to date and accessible is another challenge for young people involved with child welfare. Advances have been made in electronic record keeping, but more are needed.

### ***John H. Chafee Foster Care Independence Program***

The John H. Chafee Foster Care Independence Program helps states provide services to young people who are likely to remain in foster care until age 18, as well as former foster children beyond age 18. The program helps eligible children make the transition to self-sufficiency through such services as assistance in earning a high school diploma, support in career exploration, vocational training, job placement and retention, and training in daily living skills. In addition to the Medicaid coverage, the program allows up to 30% of the funds be used for room and board. Chafee is a capped entitlement with an annual ceiling of \$140 million, which has not been increased since 2001.

Adolescents constitute a major segment of the youngsters the child welfare system serves. Most youth enter out-of-home care as a result of abuse, neglect, and exploitation. Others have run away from home or have no home. Young people transitioning out of the foster care system are significantly affected by the instability that accompanies long periods of out-of-home placement during childhood and adolescence.

The resulting harm to the youth themselves, their communities, and the society at large is unacceptably high. To reduce these outcomes, outreach to youth and the quality of services provided need to be improved. In addition, expanding eligibility for critical support for young people leaving



foster care will ensure a successful transition to independence and self-sufficiency, and reduce the numbers of young people who become homeless, unemployed, incarcerated, and/or at high risk of becoming victims and victimizers. To accomplish this improvement and expansion, funding for the Chafee Foster Care Independence Program needs to be increased significantly.

### **Education**

Reauthorizing the Title X, Part C of the No Child Left Behind (NCLB) McKinney-Vento Homeless Assistance Act (McKinney-Vento) is an opportunity to improve education outcomes for children and youth in foster care. McKinney-Vento provides access to essential federal education protections and rights for homeless children and youth. Children and youth who are eligible for McKinney-Vento have access to supports for school success that many children involved in child welfare lack: school stability or immediate enrollment if stability is not possible, school staff charged with ensuring their prompt enrollment, and more. While these protections currently apply to a subset of children involved in foster care, including those "awaiting foster care placement," states have defined this phrase differently. States vary widely in their application of these protections for this population. As a result, the opportunities for children and youth in foster care may depend on where they live. The reauthorization of McKinney-Vento provides an opportunity to ensure these protections are available to all children in foster care, with special accommodation for the needs and family dynamics that face children in foster care.

The Education and Training Voucher (ETV) program provides assistance of up to \$5,000 per year for the cost of attendance at an institution of higher education for youth who age out of foster care or are adopted after age 16. Funding for this program has never reached the amount requested by President Bush-\$60 million-which itself is not enough to meet the need. The ETV program began receiving funds in 2003 and was set at \$42 million. In 2005, funding increased to \$46.6 million; however, for FY 2008, funds were reduced to \$45.3 million. Funding for the ETV program should be expanded to at least the level proposed by the President. Further improvements to the ETV program are needed, including adjusting eligibility to include youth adopted after age 14, and requiring technical assistance for states to ensure funds are fully utilized. Also, instead of being returned to the federal treasury, unused state ETV funds should be transferred to other states' ETV programs with demonstrated unmet need.

### ***National Youth In Transition Database***

Congress should provide the resources necessary for implementation of the National Youth in Transition Database. This new initiative is a tremendous opportunity to provide valuable information that will inform future improvements in services to young people. The funds for implementation should be a priority for Congress and not come at the expense of existing services or supports or reduced services to adolescents receiving Chafee and ETV funding.

### **Key Facts**

- In 2005, 24,211 children aged-out of out-of-home care. <sup>1, 2</sup>
- A study of young adults who had spent a year or more in foster care between age 14 and 18 found that 25% had experienced post-traumatic stress, compared to 4% of the general adult population. <sup>3</sup>
- Three in 10 of the nation's homeless adults report foster care history. <sup>4</sup>

- A recent study found that one-third of older youth in foster care were identified by caseworkers as having one or more special mental health, medical, pregnancy and parenting, substance abuse, or developmental needs that significantly interfered with their ability to live independently. <sup>5</sup>
- In Clark County, Nevada, 55% of former foster youth reported not having health insurance after leaving foster care. <sup>6</sup>
- Forty-four percent of former foster youth in Wisconsin reported difficulty accessing health and mental health services. <sup>7</sup>
- The rate at which foster youth complete high school (50%) is significantly below the rate of their peers (70%), and the rate at which college-qualified foster youth attend postsecondary education (20%) is substantially below the rate of their peers (60%). <sup>8</sup>
- The Census Bureau reports college graduates make \$23,000 more per year than those with high school diplomas. <sup>9</sup>

### Sources

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### CWLA Contact

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