

HB

2009

HFIN

FILE



Health, Education, and Social Services Committee
Alaska State Legislature
House of Representatives

HB 209 PROGRAM FOR FORMER FOSTER CHILDREN
Sponsor Statement

House bill 209 relates to the establishment of a foster care transition program for transitioning certain state foster care recipients age 18 to 21.

This bill is necessary so that the state may continue to receive federal money to provide the support and services needed to assure that these young adults are able to manage their independence after they have reached the age of majority in foster care. Programs are in place for these individuals while they are in state foster care; this bill will make it possible to continue to provide support and services after they reach the age of majority as required by the Foster Care Independence Act of 1999.

This bill would direct the Department of Health and Social Services to design, develop, and implement a foster care transition program to provide support and services to young adults who have reached the age of 18 while in state foster care. The program may provide some or all of the following services to these young adults: education and vocational training, assistance in obtaining basic education and training, career and employment services, training in basic life skills, housing and utility assistance, mentoring and counseling, and other appropriate services to complement the efforts of these former state foster care recipients to achieve self-sufficiency.

Analysis of CSHB 209

PROBLEM

Through the Foster Care Independence Act of 1999, the State of Alaska shall receive no less than \$500,000 per year to carry out programs designed to help children make the transition from foster care to self-sufficiency.

A specific requirement of the Act is the provision of independent living services to former foster youth between the ages of 18 to 21.

The current statute, AS 47.18 only provides for state assistance to youth in state custody. In order to meet federal compliance, language must be included to allow for the provision of services to individuals who have emancipated from the Alaska foster care system because they have reached the age of majority and have not attained 21 years of age.

FISCAL IMPACT

There is a zero fiscal impact to the proposed amendment to allow the department to serve youth 18 to 20 who are no longer in foster care.

There will be a fiscal note associated with extending foster care to youth over 18. While it is not clear how many youth may voluntarily extend custody, a few factors are known:

- Title IV-E funding can only be applied to extension of custody for youth in their 19th year who extend in order to complete high school.
- While the amount of money contributed by birth parents to support of youth in state custody is small, this form of support will likely not continue for any youth over the age of 18.
- Approximately 40 youth will turn 18 in foster care each year.
- A survey of DFYS social workers with youth age 16 or over currently in foster care indicates that approximately 33% of these youth may elect to remain in foster beyond age 18. $40 \text{ youth/year} \times .33 = 13 \text{ youth to extend custody per year}$. With this formula there is a possibility of extending custody for 39 youth by year 3.
- Providing ongoing foster care rates to foster parents may not provide them with an incentive to adopt or to take guardianship.

FOSTER CARE INDEPENDENCE ACT OF 1999

Program Requirements Summary

Programs **must** be designed to accomplish the following:

- ▶ To identify children who are likely to remain in foster care until 18 years of age and to help these children make the transition to self-sufficiency by providing services such as :
 - ▶ assistance in obtaining a high school diploma,
 - ▶ career exploration, vocational training,
 - ▶ job placement and retention,
 - ▶ training in daily living skills,
 - ▶ training in budgeting and financial management skills,
 - ▶ substance abuse prevention, and preventive health activities (including smoking avoidance, nutrition education, and pregnancy prevention);
- ▶ To help children who are likely to remain in foster care until 18 years of age receive the education, training, and services necessary to obtain employment;
- ▶ To help children who are likely to remain in foster care until 18 years of age prepare for and enter postsecondary training and education institutions;
- ▶ To provide personal and emotional support to children aging out of foster care, through mentors and the promotion of interactions with dedicated adults;
- ▶ To provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood.

CERTIFICATIONS.

The Governor **must** certify the following:

- ▶ That the State will provide assistance and services to children who have left foster care because they have attained 18 years of age, and who have not attained 21 years of age.
- ▶ That not more than 30 percent of the amounts paid to the State from its allotment under subsection (c) for a fiscal year will be expended for room or board for children who have left foster care because they have attained 18 years of age, and who have not attained 21 years of age.

- ▶ That none of the amounts paid to the State from its allotment under subsection (c) will be expended for room or board for any child who has not attained 18 years of age.
- ▶ That the State will use training funds provided under the program of Federal payments for foster care and adoption assistance to provide training to help foster parents, adoptive parents, workers in group homes, and case managers understand and address the issues confronting adolescents preparing for independent living, and will, to the extent possible, coordinate such training with the independent living program conducted for adolescents.
- ▶ That the State has consulted widely with public and private organizations in developing the plan and that the State has given all interested members of the public at least 30 days to submit comments on the plan.
- ▶ That the State will make every effort to coordinate the State programs receiving funds provided from an allotment made to the State under subsection (c) with other Federal and State programs for youth (especially transitional living youth projects funded under part B of title III of the Juvenile Justice and Delinquency Prevention Act of 1974), abstinence education programs, local housing programs, programs for disabled youth (especially sheltered workshops), and school-to-work programs offered by high schools or local workforce agencies.
- ▶ That each Indian tribe in the State has been consulted about the programs to be carried out under the plan; that there have been efforts to coordinate the programs with such tribes; and that benefits and services under the programs will be made available to Indian children in the State on the same basis as to other children in the State.
- ▶ That the State will ensure that adolescents participating in the program under this section participate directly in designing their own program activities that prepare them for independent living and that the adolescents accept personal responsibility for living up to their part of the program.
- ▶ That the State has established and will enforce standards and procedures to prevent fraud and abuse in the programs carried out under the plan.

YOUTH AGE 16 OR OLDER IN DFYS CUSTODY AS OF MARCH 2, 2001

Total Number	175
Number over 18 years old	36

Region	Age	
	16 years or older	18 years or older
Anchorage	59	14
Northern Region	58	12
Aniak	2	0
Barrow	8	2
Bethel	13	1
Delta	4	1
Fairbanks	20	4
Ft. Yukon	2	1
Galena	1	0
Kotzebue	1	1
Nome	3	1
St. Mary's	4	1
South Central Region	29	6
Cordova	1	0
Dillingham	2	0
Kenai	6	1
King Salmon	1	0
Kodiak	2	1
Mat-Su	11	3
Seward	2	0
Unalaska	2	0
Valdez	2	1
Southeast Region	29	4
Craig	1	1
Juneau	20	3
Ketchikan	2	0
Petersburg	2	0
Sitka	4	0
TOTAL	175	36

Permanency Plan Goal	Number
Adoption	12
Guardianship	25
Independent Living	6
Permanent Relative Placement	6
Permanent Foster Care	32
Return to Home	94

Youth age 16 or older in DFYS Custody as of March 2, 2001

The following tables are the result of a direct telephone survey to social workers who have youth age 16 or older on their caseloads who are currently in the foster care system. A total number of 182 youth were identified by PROBER. Of this population, 15 were identified as being under DJJ authority and were eliminated from the sample, leaving a total of 167 youth age 16 or older who were in DFYS foster care.

From this population, we received a total of 126 responses, for a 75% response rate. While the responses are not a stratified sample, it is safe to assume that simple percentages from the response population may be extrapolated to the total population. These tables also identify the number of youth in the response population that were age 18 or older as of March 1, 2001.

Youth's Permanency Goal	Number of responses	Percent of responses	Extrapolated number in total population
Adoption	10	7.9%	13
Long Term Residential	5	4.0%	7
Runaway	3	2.4%	4
Dismissed	2	1.6%	3
Guardianship	8	6.3%	11
Independent Living	71	56.3%	94
Relative Placement	3	2.4%	4
Return Home	17	13.5%	23
Unknown	7	5.6%	9
TOTAL	126	100.0%	167

Disability	Number of responses	Percent of responses	Extrapolated number in total population
physical	2	1.6%	3
learning	14	11.1%	19
emotional	27	21.4%	36
FAS/FAE	7	5.6%	9
substance abuse	7	5.6%	9
other	3	2.4%	4
none	66	52.4%	87
TOTAL	126	100.0%	167

Would remain in custody past high-school?	Number of responses	Percent of responses	Extrapolated number in total population
yes	42	33.3%	56
no	48	38.1%	64
maybe	7	5.6%	9
unk/na	29	23.0%	38
TOTAL	126	100.0%	167

FISCAL NOTE

**STATE OF ALASKA
2002 LEGISLATIVE SESSION**

Fiscal Note Number: _____
 Bill Version: CS HB 209 (HES)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Health & Social Services
 Title: DIRECT DHSS TO ESTABLISH A FOSTER CARE TRANSITION PROGRAM BRU: Purchased Services
 Component: Family Preservation
 Sponsor: HOUSE (HES)
 Requestor: HOUSE (FIN) Component Number: 1628

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (0)						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: _____

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposa :

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The proposed legislation will have no new fiscal impact if enacted. Through the Foster Care Independence Act of 1999, the State of Alaska shall receive no less than \$500.0 per year in federal funds to carry out programs designed to help children make the transition from foster care to self-sufficiency. This federal receipt authority is already included in the Department's base budget.

A specific requirement of the Independence Act is the provision of independent living services to former foster care youth between the ages of 18 to 20. The current statute, AS 47.18 only provides for state assistance to youth in state custody. In order to meet federal compliance, language must be included to allow for the provision of funds and services to individuals who have left the Alaska foster care system and emancipated from state custody.

Prepared by: Theresa Tanoury, Director Phone 465-3191
 Division: Family & Youth Services Date/Time 02/08/2002
 Approved by: Elmer A. Lindstrom, Deputy Commissioner Date 02/08/2002
 Agency: Department of Health & Social Services

For distribution information, call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

BILL NO. CS HB 209 (HES)

ANALYSIS CONTINUATION

ANALYSIS CONTINUED:

HB 209 will give the department flexibility in developing a program for youth who are transitioning from foster care. The legislation allows for designating eligibility thresholds, standards, and limits to program services. Youth who "age out" of the foster care system are often ill prepared to live independently. They may not have strong familial or community ties that help one transition to self-sufficiency. This population of youth is "high risk". Frequently, former foster care youth become adults dependent upon public assistance, become involved in the correctional system, or fall into unhealthy behaviors. By providing support during the transition from foster care to independent living, the state can greatly increase the odds that youth who leave our foster care system can become successful, self-sufficient adults.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 209(HES)
 (H) Publish Date: 4/20/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Health & Social Services
 Title: Program for former foster children. BRU: Family and Youth Services Mngmt
 Component: FYS Management
 Sponsor: House (HES)
 Requester: House (FIN) Component Number: 2306

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time	0					
Part-time	0					
Temporary	0					

ANALYSIS: (Attach a separate page if necessary)

This proposed legislation will give the department flexibility in developing a program of services for youth who are transitioning from foster care to independent living. The proposed legislation allows for designating eligibility threshold, standards, and limits to program services. This bill will have no fiscal impact on the Department if enacted.

Through the Federal Independent Living Act of 1999, the State of Alaska shall receive no less than \$500.0 per year in federal funds to carry out programs designed to help children make the transition from foster care to self-sufficiency. A specific requirement of the Act is the provision of independent living services to former foster youth between the ages of 18 to 21. The current statute, AS 47.18 only provides for state assistance to youth in state custody. In order to meet federal compliance, language must be included to allow for the provision of monies and services to individuals who have left the Alaska foster care system and emancipated from state custody.

Prepared by: Theresa Tanourey, Director Phone 465-3191
 Division: Family and Youth Services Date/Time: _____
 Approved by: Elmer A. Lindstrom, Special Assistant Date 4/20/01 9:29 AM
 Agency: Department of Health & Social Services

For distribution information, call the Governor's Legislative Office

CS FOR HOUSE BILL NO. 209(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 4/20/01

Referred: Finance

Sponsor(s): HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act directing the Department of Health and Social Services to establish a foster
2 care transition program; relating to that program; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * Section 1. AS 36.30.850(b) is amended by adding a new paragraph to read:

5 (42) grants and contracts with qualified entities for services under
6 AS 47.18.330 for the foster care transition program.

7 * Sec. 2. AS 47.18 is amended by adding new sections to read:

8 **Article 4A. Foster Care Transition Program.**

9 **Sec. 47.18.300. Program authorized.** (a) The department shall design,
10 develop, and implement a foster care transition program to provide support and
11 services to young adults who

- 12 (1) are 18, 19, or 20 years of age;
- 13 (2) reach or have reached the age of 18 while in state foster care; and
- 14 (3) meet other eligibility criteria established by the department under

1 (b) of this section.

2 (b) The department may adopt regulations to carry out the purposes of
3 AS 47.18.300 - 47.18.390, including regulations establishing eligibility thresholds,
4 standards, and limits for the program. The department shall develop the regulations in
5 consultation with public, private, and Alaska Native organizations.

6 **Sec. 47.18.310. Program design.** The department shall design the program as
7 a continuation of the training efforts related to independent living skills that were
8 initiated when the state foster care recipients were identified as being likely to remain
9 in state foster care until reaching the age of 18. The program design must require that
10 program participants are directly involved in identifying the program activities that
11 will prepare them for independent living.

12 **Sec. 47.18.320. Program development.** (a) Subject to the availability of an
13 appropriation made for the purposes of AS 47.18.300 - 47.18.390, the program may
14 provide

15 (1) education and vocational training;

16 (2) assistance in obtaining basic education and training;

17 (3) career and employment services;

18 (4) training in basic life skills;

19 (5) housing and utility assistance;

20 (6) mentoring and counseling; and

21 (7) other appropriate services to complement the efforts of former state
22 foster care recipients to achieve self-sufficiency.

23 (b) In developing the program, the department shall cooperate with and
24 coordinate the use of the resources available from other state and federal agencies
25 designed to provide support and services consistent with the purposes of the program.

26 **Sec. 47.18.330. Program implementation.** (a) The department may
27 implement the program through the award of contracts or grants to qualified entities to
28 provide services under the program. The department may award contracts and grants
29 if the contracts and grants further the purposes of and meet the requirements of
30 AS 47.18.300 - 47.18.390 and applicable regulations adopted under those sections.

31 (b) Contracts awarded under this section shall be administered in accordance

1 with AS 47.05.015 and regulations adopted under that section. Grants awarded under
 2 this section shall be awarded using requirements established in regulations adopted
 3 under AS 47.18.300 - 47.18.390 that are substantially similar to those set out in
 4 AS 47.05.015 for contracts.

5 **Sec. 47.18.390. Definitions.** In AS 47.18.300 - 47.18.390,

6 (1) "program" means the foster care transition program authorized
 7 under AS 47.18.300 - 47.18.390;

8 (2) "qualified entities" means municipalities, other political
 9 subdivisions of the state, nonprofit corporations formed under AS 10.20, churches and
 10 religious organizations, and incorporated and unincorporated entities operating within
 11 the state that meet the requirements established by the department in regulation;

12 (3) "state foster care" means foster care, as defined in AS 47.10.990,
 13 that is provided to a person who is in the custody of the department under AS 47.10
 14 and AS 47.12.

15 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
 16 read:

17 **TRANSITION: REGULATIONS.** Notwithstanding sec. 5 of this Act, the
 18 Department of Health and Social Services may immediately proceed to adopt regulations
 19 necessary to implement the changes made by this Act. The regulations take effect under
 20 AS 44.62 (Administrative Procedure Act), but not before July 1, 2001.

21 * **Sec. 4.** Section 3 of this Act takes effect immediately under AS 01.10.070(c).

22 * **Sec. 5.** Except as provided in sec. 4 of this Act, this Act takes effect July 1, 2001.