

1-1 By: Powell, Johnson S.B. No. 1084
 1-2 (In the Senate - Filed March 5, 2021; March 18, 2021, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 May 13, 2021, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; May 13, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the Preparation for Adult Living Program and other
 1-20 services for foster children transitioning to independent living.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 264.121, Family Code, is amended by
 1-23 amending Subsections (a), (a-2), (e-1), and (g) and adding
 1-24 Subsections (a-7) and (e-4) to read as follows:

1-25 (a) The department shall address the unique challenges
 1-26 facing foster children in the conservatorship of the department who
 1-27 must transition to independent living by:

1-28 (1) expanding efforts to improve transition planning
 1-29 and increasing the availability of transitional family group
 1-30 decision-making to all youth age 14 or older in the department's
 1-31 permanent managing conservatorship, including enrolling the youth
 1-32 in the Preparation for Adult Living Program before the age of 16;

1-33 (2) coordinating with the commission to obtain
 1-34 authority, to the extent allowed by federal law, the state Medicaid
 1-35 plan, the Title IV-E state plan, and any waiver or amendment to
 1-36 either plan, necessary to:

1-37 (A) extend foster care eligibility and
 1-38 transition services for youth up to age 21 and develop policy to
 1-39 permit eligible youth to return to foster care as necessary to
 1-40 achieve the goals of the Transitional Living Services Program; and

1-41 (B) extend Medicaid coverage for foster care
 1-42 youth and former foster care youth up to age 21 with a single
 1-43 application at the time the youth leaves foster care; ~~and~~

1-44 (3) entering into cooperative agreements with the
 1-45 Texas Workforce Commission and local workforce development boards
 1-46 to further the objectives of the Preparation for Adult Living
 1-47 Program. The department, the Texas Workforce Commission, and the
 1-48 local workforce development boards shall ensure that services are
 1-49 prioritized and targeted to meet the needs of foster care and former
 1-50 foster care children and that such services will include, where
 1-51 feasible, referrals for short-term stays for youth needing housing;

1-52 (4) addressing barriers to participation in the
 1-53 Preparation for Adult Living Program for a youth who has a
 1-54 disability by making appropriate accommodations that allow the
 1-55 youth to meaningfully participate in the program; and

1-56 (5) documenting in the youth's case file any
 1-57 accommodations made under Subdivision (4).

1-58 (a-2) The experiential life-skills training under
 1-59 Subsection (a-1) must include:

1-60 (1) a financial literacy education program developed
 1-61 in collaboration with the Office of Consumer Credit Commissioner

2-1 and the State Securities Board that:

2-2 (A) includes instruction on:

2-3 (i) obtaining and interpreting a credit

2-4 score;

2-5 (ii) protecting, repairing, and improving a

2-6 credit score;

2-7 (iii) avoiding predatory lending

2-8 practices;

2-9 (iv) saving money and accomplishing

2-10 financial goals through prudent financial management practices;

2-11 (v) using basic banking and accounting

2-12 skills, including balancing a checkbook;

2-13 (vi) using debit and credit cards

2-14 responsibly;

2-15 (vii) understanding a paycheck and items

2-16 withheld from a paycheck;

2-17 (viii) understanding the time requirements

2-18 and process for filing federal taxes;

2-19 (ix) protecting financial, credit, and

2-20 personally identifying information in personal and professional

2-21 relationships and online;

2-22 (x) forms of identity and credit theft; and

2-23 (xi) using insurance to protect against the

2-24 risk of financial loss; and

2-25 (B) assists a youth who has a source of income to:

2-26 (i) establish a savings plan and, if

2-27 available, a savings account that the youth can independently

2-28 manage; and

2-29 (ii) prepare a monthly budget that includes

2-30 the following expenses:

2-31 (a) rent based on the monthly rent for

2-32 an apartment advertised for lease during the preceding month;

2-33 (b) utilities based on a reasonable

2-34 utility bill in the area in which the youth resides;

2-35 (c) telephone service based on a

2-36 reasonable bill for telephone service in the area in which the youth

2-37 resides;

2-38 (d) Internet service based on a

2-39 reasonable bill for Internet service in the area in which the youth

2-40 resides; and

2-41 (e) other reasonable monthly

2-42 expenses; and

2-43 (2) for youth who are 17 years of age or older, lessons

2-44 related to:

2-45 (A) insurance, including applying for and

2-46 obtaining automobile insurance and residential property insurance,

2-47 including tenants insurance; ~~and~~

2-48 (B) civic engagement, including the process for

2-49 registering to vote, the places to vote, and resources for

2-50 information regarding upcoming elections; and

2-51 (C) the documents the youth is required to

2-52 receive under Subsection (e-1) prior to being discharged from

2-53 foster care and how those documents may be used.

2-54 (a-7) The department shall ensure that before a youth leaves

2-55 foster care, each youth who is 14 years of age or older has an e-mail

2-56 address through which the youth may receive encrypted copies of

2-57 personal documents and records.

2-58 (e-1) If, at the time a youth is discharged from foster

2-59 care, the youth is at least 18 years of age or has had the

2-60 disabilities of minority removed, the department shall provide to

2-61 the youth, not later than the 30th day before the date the youth is

2-62 discharged from foster care, the following information and

2-63 documents unless the youth already has the information or document:

2-64 (1) the youth's birth certificate;

2-65 (2) the youth's immunization records;

2-66 (3) the information contained in the youth's health

2-67 passport;

2-68 (4) a personal identification certificate under

2-69 Chapter 521, Transportation Code;

3-1 (5) a social security card or a replacement social
3-2 security card, if appropriate; and

3-3 (6) a Medicaid card or other proof of the youth's
3-4 enrollment in Medicaid or an insurance card from a health plan that
3-5 provides health coverage to foster youth[, if appropriate].

3-6 (e-4) The youth's caseworker shall:

3-7 (1) assist the youth with developing a plan for
3-8 keeping the documents described by Subsection (e) in a safe place;
3-9 and

3-10 (2) inform the youth about the documents the youth is
3-11 required to receive before the date the youth is discharged from
3-12 foster care.

3-13 (g) For a youth taking prescription medication, the
3-14 department shall ensure that the youth's transition plan includes
3-15 provisions to assist the youth in managing the use of the medication
3-16 and in managing the child's long-term physical and mental health
3-17 needs after leaving foster care, including:

3-18 (1) provisions that inform the youth about:

3-19 (A) ~~[(1)]~~ the use of the medication;

3-20 (B) ~~[(2)]~~ the resources that are available to
3-21 assist the youth in managing the use of the medication; and

3-22 (C) ~~[(3)]~~ informed consent and the provision of
3-23 medical care in accordance with Section 266.010(1); and

3-24 (2) for each youth who is 17 years of age or older and
3-25 preparing to leave foster care, a program supervised by a health
3-26 care professional to assist the youth with independently managing
3-27 the youth's medication.

3-28 SECTION 2. Subchapter B, Chapter 264, Family Code, is
3-29 amended by adding Section 264.1214 to read as follows:

3-30 Sec. 264.1214. HOUSING FOR HOMELESS YOUTH AGING OUT OF

3-31 FOSTER CARE. (a) For a youth who will voluntarily enter extended
3-32 foster care on the youth's 18th birthday, the youth's caseworker
3-33 shall, not later than six months before the youth's 18th birthday,
3-34 complete any necessary transitional living or supervised
3-35 independent living paperwork to ensure the youth has housing on the
3-36 date the youth enters extended foster care. Not later than the 90th
3-37 day before the youth's 18th birthday, the caseworker shall review
3-38 the qualifications and requirements for the youth's housing.

3-39 (b) If a youth intends to continue living with the youth's
3-40 substitute care provider after the youth's 18th birthday, the
3-41 department shall waive any background check otherwise required for
3-42 the youth to remain living with the substitute care provider.

3-43 (c) For a youth who continues living with the youth's
3-44 substitute care provider after the youth's 18th birthday, the youth
3-45 may share a bedroom with another youth who is 16 years of age or
3-46 older provided the age difference between the youths does not
3-47 exceed two years.

3-48 (d) A substitute care provider who prohibits a youth from
3-49 living in the facility after the youth's 18th birthday shall notify
3-50 the youth's caseworker of that fact:

3-51 (1) not later than:

3-52 (A) the 90th day before the youth's 18th birthday
3-53 if the facility is a foster home; or

3-54 (B) six months before the youth's 18th birthday
3-55 if the facility is a cottage family home or general residential
3-56 operation; or

3-57 (2) as soon as possible if the youth is placed in a
3-58 foster home, cottage family home, or general residential operation
3-59 less than six months before the youth's 18th birthday.

3-60 (e) After receiving notice under Subsection (d), the
3-61 youth's caseworker shall verbally communicate with the youth about
3-62 the youth's living arrangements and document the substance of the
3-63 communication in the youth's case file.

3-64 (f) The department shall assist a youth living in a
3-65 supervised independent living program arrangement to develop a
3-66 rental history by allowing the youth to cosign the lease for the
3-67 youth's housing provided the property owner does not object.

3-68 (g) The department by rule shall establish a protocol that
3-69 may be implemented for a youth to prevent the youth from aging out

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

4-5 SECTION 3. This Act takes effect September 1, 2021.

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