

# SENATE BILL REPORT

## SB 5740

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As Reported by Senate Committee On:  
Human Services, Mental Health & Housing, February 17, 2015

**Title:** An act relating to extended foster care services.

**Brief Description:** Concerning extended foster care services.

**Sponsors:** Senators Fain, Billig, Litzow, McAuliffe, Frockt, Miloscia, Darneille and Jayapal.

**Brief History:**

**Committee Activity:** Human Services, Mental Health & Housing: 2/09/15, 2/17/15 [DP-WM, w/oRec].

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### SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Padden.

**Staff:** Alison Mendiola (786-7444)

**Background:** In 2008 the Fostering Connections to Success and Increasing Adoptions Act was signed into federal law. Among its many provisions, the Fostering Connections legislation created a pathway for states to use Title IV-E funds, or foster care funding, to extend foster care services to youth ages 19–21 if the youth engages in certain qualifying activities.

In 2011 the Legislature established the Extended Foster Care program in Washington. Currently a youth age 19–21 is eligible for extended foster care services if the youth:

- is participating in or completing a secondary education program or a secondary education equivalency program;
- is enrolled, or has applied for and demonstrates intent to enroll in a postsecondary academic or postsecondary vocational program;
- has as an open dependency case at age 18 and is participating in a program or activity designed to promote employment or remove barriers to employment; or

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- engages in employment for 80 or more hours per month, within amounts specifically appropriated for this purpose.

Extended foster care services may include, but are not limited to, foster care placement or placement in a supervised independent living setting, medical or dental services, transitional living services, case management, and assistance meeting basic needs.

The court must dismiss dependency cases of foster care youth who turn 18 years of age if they are not participating in one of the qualifying activities. Youth whose dependency cases were dismissed at age 18 or after may request extended foster care services through a Voluntary Placement Agreement (VPA) if they request services before turning 19 years of age. A youth may enter into a VPA only once but may transition among eligibility categories, so long as the youth remains eligible during the transition. When the youth is at least 17 years of age but not older than 17 years and six months, the Department of Social and Health Services (DSHS) must provide the youth with written documentation explaining the availability of extended foster care services and detailing instructions about how to access those services after they reach age 18. DSHS is relieved of any supervisory duties over a youth who is age 18 but has not requested extended foster care services. While a youth receives extended foster care services, the youth is under the care and placement authority of DSHS.

**Summary of Bill:** If a youth is not able to participate in any of the qualifying activities due to a documented medical condition, the youth may still qualify for the Extended Foster Care program.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Extended foster care is extremely valuable to children aging out of foster care who likely have been in the system their whole lives and will have nowhere else to go. With extended foster care you can work, go to school, or enroll in job training without having to worry about your housing. The feds allow extended foster care for specific circumstances and adding those who can't work due to a medical condition then includes all the groups approved under federal law. In many ways, this exception helps the most vulnerable people. If a person can't work due to a medical condition then it's likely the person would end up homeless without this provision.

OTHER: The intent of the bill is supported, but the cost is extremely high; \$1.8 million for fiscal year 2016. The costs of extended foster care is greater than anticipated as you still have staffing costs and court costs through the Attorney General's Office. The work requirement of working at least 80 hours per month doesn't go into effect until next month. Similarly, a delayed implementation for the medical exception would be helpful as would further refining the definition that the medical condition prevents the youth from working.

Different populations, like therapeutic services, are competing for a limited number of foster care placements.

**Persons Testifying:** PRO: Jim Theofelis, Mykell Daniels, Deonate Cruz, The Mockingbird Society.

OTHER: Alan Willoughby, Scott Hanauer, Patrick Dowd, Office of the Family & Children's Ombuds; Jennifer Strus, DSHS.