

SENATE BILL REPORT

E2SHB 1302

As of March 27, 2013

Title: An act relating to extended foster care services.

Brief Description: Concerning extended foster care services.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Roberts, Walsh, Kagi, Goodman, Carlyle, Freeman, Stonier, Reykdal, Lytton, Jinkins, Ryu, Maxwell, Tharinger, Santos and Pollet).

Brief History: Passed House: 3/08/13, 91-6.

Committee Activity: Human Services & Corrections: 3/28/13.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Joan Miller (786-7784)

Background: In October 2008, Congress passed the Fostering Connections to Success and Increasing Adoptions Act of 2008. One of the key provisions of the legislation allowed states to use foster care funds to provide extended foster care services to youth between the ages of 18 and 21 who engaged in certain qualifying activities.

In 2011, the Legislature established extended foster care services, which are defined as residential and other support services that the Department of Social and Health Services (DSHS) is authorized to provide to foster children who have an open dependency case when they turn age 18. A youth was eligible for extended foster care services until age 21 only while participating in a secondary education program or a secondary education equivalency program. In 2012, the Legislature expanded the eligibility to include youth who were enrolled, or had applied for and demonstrated intent to enroll, in a postsecondary academic or postsecondary vocational program.

When a youth in foster care who has an open dependency case reaches age 18, the youth's parent or guardian is dismissed from the dependency proceeding. After the parent or guardian's dismissal, the dependency court must postpone for six months the dismissal of the dependency case in its entirety if the youth is enrolled in a secondary or postsecondary education program or a secondary or postsecondary education equivalency program. This six-month postponement allows the youth time to request extended foster care services after turning 18. At the end of the six-month period, if the youth has not requested extended foster

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care services, the court must dismiss the dependency. The court may also dismiss the dependency if, during the six-month period, the youth is no longer eligible for extended foster care services. 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: To facilitate the delivery of extended foster care services, the court must maintain the dependency for any youth who is a dependent youth in foster care at the age of 18 and who meets one of the following eligibility criteria: (1) enrollment in a secondary education program or a secondary education equivalency program; (2) enrollment and participation in a postsecondary academic or postsecondary program; or (3) participation in a program or activity designed to promote employment or remove barriers to employment. A youth leaving a Juvenile Rehabilitation Administration institution after age 18 and who had an open dependency case at admission may also request extended foster care services if the youth meets one of the eligibility criteria.

Extended foster care services may include the following: (1) placement in licensed, relative, or otherwise approved care; (2) supervised independent living settings; (3) assistance in meeting basic needs; (4) independent living services; (5) medical assistance; and (6) counseling or treatment.

When the youth is at least 17 years of age but not older than 17 years and six months, 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.

A youth receiving extended foster care services remains a party to the dependency proceeding. The youth's parent or guardian must be dismissed. DSHS has the authority to establish foster care rates for youth receiving extended foster care services, and it does not have supervisory responsibility for a youth over age 18 who has an open dependency but has not requested extended foster care services. When a youth reaches 18 years and six months, the court must dismiss the dependency if the youth has not requested extended foster care services or does not meet the eligibility criteria.

New definitions for nonminor dependent and supervised independent living are provided. The definition of extended foster care services is modified.

The provisions of the bill apply prospectively.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which the bill is passed, except for sections 6 and 8 relating to the definitions that apply to the chapters on foster care, which take effect December 1, 2013.