

# SENATE BILL REPORT

## 2SHB 1735

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As Reported by Senate Committee On:  
Human Services, Mental Health & Housing, March 24, 2015  
Ways & Means, April 7, 2015

**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 Orwall, Kagi, Carlyle, Gregerson, Pollet and Ormsby).

**Brief History:** Passed House: 3/05/15, 83-15.

**Committee Activity:** Human Services, Mental Health & Housing: 3/16/15, 3/24/15 [DP-WM, w/oRec].

Ways & Means: 4/07/15 [DPA, 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; Hargrove.

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

Signed by Senator Padden.

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

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass as amended.

Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey, Becker, Billig, Brown, Conway, Fraser, Hasegawa, Hatfield, Hewitt, Kohl-Welles, O'Ban, Parlette, Rolfes, Schoesler and Warnick.

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

Signed by Senator Padden.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Breann Boggs (786-7433)

**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 to 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 to 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
- 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 17.5 years, 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 (Recommended Amendments):** The eligibility for extended foster care services is expanded to include youth who are not able to engage in any of the activities that would make the youth eligible due to a documented medical condition, within amounts specifically appropriated for this purpose. Medical condition is defined to mean a physical or mental health condition as documented by any licensed health care provider.

For youth aging out of foster care, the Children's Administration (CA) must invite representatives from the Division of Behavioral Health and Recovery, the Disability Services Administration, the Economic Services Administration, and the Juvenile Justice and Rehabilitation Administration to the youth's shared planning meeting that occurs between age 17 and 17.5 years of age that is used to develop a transition plan. The CA must direct 17-

year old foster youth who may qualify for developmental disability services to apply for those services and assist them in doing so.

CA must coordinate medical, mental, and behavioral health services to maximize the use of federal resources and the most cost-efficient delivery of services to extended foster care youth.

If specific funding is not provided for this act, the act is null and void.

**EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Amendments):** Requires CA to coordinate medical, mental, and behavioral health services to maximize the use of federal resources and the most cost-efficient delivery of services to extended foster care youth.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Effective Date:** The bill takes effect on July 1, 2016. However, the bill is null and void unless funded in the budget.

**Staff Summary of Public Testimony on Second Substitute House Bill (Human Services, Mental Health & Housing):** PRO: The state has done a lot to extend foster care for young adults and this is the last step, helping the most vulnerable. If these kids qualify for other services, then they should apply for them. We want to know how many kids would be impacted by this bill which is why there is a delayed implementation. As a recipient of extended foster care, not having to worry about a place to sleep has been extremely helpful allowing recipients to work through school and work challenges. Some kids are too sick to go to school or work but they should still qualify for extended foster care. The Washington State Institute for Public Policy did an evaluation in 2010 including a cost-benefit analysis. For every dollar invested, the return is \$5.16. Extended foster care reduces crime, reduces reliance on food stamps, results in lower incarceration rates, and the benefits include higher wages and delaying early parenting.

OTHER: This bill addresses the needs of most vulnerable youth. Extended foster care can prevent negative outcomes like homelessness and incarceration. It has been an incredible program for foster care up to age 21 but there has been an unanticipated fiscal impact which is why we appreciate the House version with a delayed implementation date because the last category (working) just became effective this month. Also the House version has a null and void clause.

**Persons Testifying (Human Services, Mental Health & Housing):** PRO: Representative Orwall, prime sponsor, Jim Theofelis, Mandy Urwiler, The Mockingbird Society.

OTHER: Patrick Dowd, WA State Office of the Family & Children's Ombuds; David Del Villar Fox, DSHS Children's Administration.

**Persons Signed in to Testify But Not Testifying:** No one.

**Staff Summary of Public Testimony on Second Substitute House Bill (Ways & Means):**  
None.

**Persons Testifying (Ways & Means):** No one.

**Persons Signed in to Testify But Not Testifying:** No one.