

HOUSE BILL REPORT

E2SSB 5908

As Reported by House Committee On:
Human Services, Youth, & Early Learning
Appropriations

Title: An act relating to the provision of extended foster care services to youth ages 18 to 21.

Brief Description: Providing extended foster care services to youth ages 18 to 21.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Wilson, C., Frame, Billig, Dhingra, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Stanford, Trudeau and Valdez).

Brief History:

Committee Activity:

Human Services, Youth, & Early Learning: 2/16/24, 2/20/24 [DPA];
Appropriations: 2/23/24, 2/26/24 [DPA(HSEL)].

Brief Summary of Engrossed Second Substitute Bill
(As Amended by Committee)

- Removes the eligibility criteria for participation in extended foster care and allows any person who is dependent at age 18 to receive extended foster care until they turn 21 or withdraw their agreement to participate.
- Allows a youth to sign a voluntary placement agreement to participate in extended foster care before turning age 18, which takes effect on the person's eighteenth birthday.
- Requires Department of Children, Youth, and Families to ensure that dependent youth age 15 and older are informed of the extended foster care program.
- Includes in extended foster care services, in addition to a supervised independent living subsidy, an incentive payment when the participant engages in certain education or employment-related activities.

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

HOUSE COMMITTEE ON HUMAN SERVICES, YOUTH, & EARLY LEARNING

Majority Report: Do pass as amended. Signed by 9 members: Representatives Senn, Chair; Cortes, Vice Chair; Rule, Vice Chair; Eslick, Ranking Minority Member; Callan, Dent, Goodman, Ortiz-Self and Taylor.

Minority Report: Do not pass. Signed by 1 member: Representative Walsh.

Minority Report: Without recommendation. Signed by 1 member: Representative Couture, Assistant Ranking Minority Member.

Staff: Omeara Harrington (786-7136).

Background:

Dependency and Foster Care.

Anyone, including the Department of Children, Youth, and Families (DCYF), may file a petition in court alleging that a child should be a dependent of the state due to abuse, neglect, or because there is no parent, guardian, or custodian capable of adequately caring for the child. If a court determines that a child is dependent, the court will conduct periodic reviews and make determinations regarding the child's placement, provision of services by the DCYF, and compliance and progress of the parents.

When a child is removed from the home of a parent or guardian due to allegations of abuse or neglect, the child may be placed with relatives or in foster care. Foster parents are licensed by either the DCYF or private child-placing agencies and provide temporary care to children with the goal of reunifying the child with their parent or guardian. The DCYF may not discharge a child to an independent living situation before the child turns 18 unless the child becomes emancipated.

When a dependent youth is between the ages of 17 and 17-and-a-half, the DCYF must provide the youth with written documentation explaining the availability of extended foster care services and detailed instructions regarding how to access those services after reaching age 18.

Extended Foster Care.

Young adults who are dependent when they turn age 18 and meet certain qualifying criteria may agree to continue receiving foster care services up to the age of 21 by entering into a voluntary placement agreement. A voluntary placement agreement is a written voluntary agreement of a nonminor dependent who agrees to submit to the care and authority of the DCYF for purposes of participating in extended foster care. In addition, qualifying young adults who had their dependency end at age 18 may elect later to enter into a voluntary placement agreement to access extended foster care at any time up to the age of 21.

Young adults in extended foster care may live in a foster home placement or in a supervised independent living placement such as an apartment, a college dormitory, or a shared roommate setting. When placed in a foster home, the foster family receives foster care maintenance payments to support the young adult's living expenses; young adults in a supervised independent living placement receive payments directly for living expenses. Additional extended foster care services may include assistance in meeting basic needs, independent living services, medical assistance, and counseling or treatment, among other services.

To qualify for extended foster care, a youth must be:

- enrolled in a secondary educational program;
- enrolled in or able to demonstrate intent to enroll in a postsecondary academic or vocational program;
- participating in an employment program;
- employed for 80 hours or more per month; or
- not able to engage in any of these activities due to a documented medical condition.

Eligible young adults may enter and exit the extended foster care program as they wish until they turn 21.

Federal Funding.

Under Title IV-E of the Social Security Act, the federal government provides a dollar-for-dollar match to states to pay for foster care for eligible families. Federal law authorizes states to use Title IV-E funds to provide extended foster care services to youth up to age 21 who are engaged in activities that match those in Washington's current state eligibility criteria for extended foster care.

Summary of Amended Bill:

The eligibility criteria for participating in extended foster care are removed, meaning that any young adult who is dependent at age 18 may receive extended foster care services. The court must continue the dependency proceeding for any youth who is dependent at age 18 until the youth turns 21 or withdraws their agreement to participate in extended foster care. The DCYF may request that the court make findings related to enrollment in educational programs or participation in work activities for the sole purpose of pursuing federal matching funds.

The DCYF must ensure dependent youth age 15 and older are informed of the extended foster care program. A youth may sign a voluntary placement agreement to participate in extended foster care within the six months prior to the youth's eighteenth birthday, in which case the agreement will take effect on the youth's eighteenth birthday. The youth may withdraw consent to participate in extended foster care at any time, including prior to their eighteenth birthday. Voluntary placement agreements may be signed electronically.

A young adult enrolled in extended foster care may elect to receive a licensed foster care placement or may live independently. Extended foster care services include a supervised independent living subsidy, consisting of a foster care maintenance payment, for those not living in a foster care placement. If a youth who is living independently is not residing in an approved supervised independent living setting, the DCYF must continue to pay the supervised independent living subsidy while it works with the youth to identify an appropriate living arrangement.

The DCYF must develop a program to make incentive payments to extended foster care participants who participate in education or employment-related activities that provide access to federal matching funds. The program design must include stakeholder engagement from impacted communities. Subject to appropriated funding, the DCYF must make incentive payments, in addition to the supervised independent living subsidy, beginning July 1, 2025.

The DCYF may not create additional eligibility requirements for extended foster care. In addition, it must develop and implement rules and policies designed to provide age-appropriate social work support for youth in extended foster care through a codesign process that includes those with lived experience in the foster care system.

Amended Bill Compared to Engrossed Second Substitute Bill:

The striking amendment retains all of the policies of the underlying bill, and makes technical changes to harmonize definitions, reorganize provisions, and update cross-references.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Young people who age out of foster care are young people who lack supportive adults in their lives. When a youth ages out of foster care, they lose their social worker and others who have been helping them. They also lose financial support. This bill is an investment in homelessness prevention. Extended foster care serves as a lifeline for young people leaving the foster care system. Currently, barriers exist to accessing extended foster care. This bill will remove those barriers, and will provide a small amount of support for a small number of people who need it. Future budget cycles can supplement with additional

housing and other needed components. Youth deserve equitable opportunities to secure a fulfilling future. When given opportunities, foster kids can go on to be very successful, including one person who went on to enlist in the military, attend college, and become an engineer. Extended foster care has a proven track record, with positive impacts on graduation rates and college enrollment, among other factors. The Washington State Institute for Public Policy found that extended foster care results in \$3.95 in benefits for each dollar invested.

(Opposed) None.

(Other) This bill does nothing to address the dearth of programs and meaningful resources youth need, or the lack of affordable housing for this population, and puts a band-aid on a bullet hole. There were concerns about the housing subsidy in earlier versions of the bill, as it could have interfered with existing programs. Removing eligibility criteria is potentially problematic, as other states that have made similar changes on a pilot basis have resulted in youth stagnating. The caseloads for social workers are already crushing and unmanageable.

Persons Testifying: (In support) Michael Moran; Tara Urs, King County Department of Public Defense; Deonate Cruz, A Way Home Washington; and Charles Smith, The Mockingbird Society.

(Other) Colleen Stark-Bell, Department of Children, Youth, and Families.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Human Services, Youth, & Early Learning. Signed by 19 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg, Callan, Chopp, Davis, Fitzgibbon, Lekanoff, Pollet, Riccelli, Ryu, Senn, Simmons, Slatter, Springer, Stonier and Tharinger.

Minority Report: Do not pass. Signed by 6 members: Representatives Chambers, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Rude, Sandlin, Schmick and Wilcox.

Minority Report: Without recommendation. Signed by 4 members: Representatives Corry, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Harris and Stokesbary.

Staff: Jackie Kauble (786-7125).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Human Services, Youth, & Early Learning:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Participating in extended foster care leads to higher graduation rates, improved employment prospects, and reduced homelessness. Currently, the extended foster care program imposes unnecessary and harmful restrictions on those without approved jobs, school plans, or homes. This bill aims to dismantle barriers that currently hinder young adults transitioning from the foster care system into adulthood by implementing thoughtful change to the accessibility of the program to provide support as they are in a critical point of their life.

Expanding eligibility is crucial to reduce homeless rates for those transitioning out of foster care which will also reduce associated state costs. Investing in extended foster care will bring substantial lifetime benefits to the state, as reported by the Washington State Institute for Public Policy which found that the program results in \$3.95 of lifetime benefits for each dollar invested.

(Opposed) None.

Persons Testifying: Sam Martin, Washington Coalition for Homeless Youth Advocacy; and Charles Smith, The Mockingbird Society.

Persons Signed In To Testify But Not Testifying: None.