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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/02/08

SPONSOR     Komadina     LAST UPDATED                      HB                     

SHORT TITLE     Foster Youth Transition Support     SB     128/SCORCS    

ANALYST     Hanika-Ortiz    

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
	\$4,260.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY08	FY09	FY10	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>CYFD</b>		\$1,350.0			Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Taxation and Revenue Department (TRD)  
 Children, Youth & Families Department (CYFD)  
 Aging & Long-Term Services Department (ALTSD)  
 Administrative Office of the Courts (AOC)

### SUMMARY

#### Synopsis of Bill

The SCORC substitute for SB 128 appropriates \$4.26 million from the General Fund to CYFD, ALTSD and AOC to provide transitional support for foster youth in the state's custody; amends and enacts sections of the abuse and neglect act; and, amends the motor vehicle code to allow foster youth to obtain drivers licenses.

SB 128/SCORC includes: the development of transition living plans and coordinators to address housing, education, employment, health, and, mental health for foster youth aging out of the State's custody; discharge hearings to address transition plans, transition coordinators,

guardianship issues, and other information critical in the youth's successful discharge from the State's custody; the development of educational plans and the dissemination of information regarding transition living services at permanency hearings; and, allowing foster youth to obtain driver's licenses.

**FISCAL IMPLICATIONS**

The appropriation of \$4.26 million contained in the substitute bill is recurring expense to the General Fund. Any unexpended or unencumbered balance remaining at the end of FY09 shall revert to the General Fund.

TRD has provided an Appropriations Impact – Detailed Illustration:

<b>Appropriation (\$thousands)*</b>			<b>Fund(s) or Agency(ies) Affected</b>
<b>FY2008</b>	<b>FY2009</b>	<b>FY 08-09</b>	
none	1,680	1,680	CYFD – contracts for transition services
none	750	750	CYFD – supportive housing
none	650	650	CYFD – recruitment, training and provision of specialized foster homes for older youth to support youth in transition
none	400	400	CYFD – 5 FTE transition coordinators
none	100	100	CYFD – discretionary fund allotment up to \$1,000 per eligible youth
none	50	50	CYFD – develop and implement youth-designed peer mentor program
none	480	480	Aging and Long-Term Services Department – 6 FTE transition coordinators
none	150	150	Administrative Office of the Courts – special advocate program for recruitment and training of adult mentors
<b>none</b>	<b>4,260</b>	<b>4,260</b>	<b>TOTAL APPROPRIATIONS</b>

\* Parentheses ( ) indicate an appropriation out of the fund.

The substitute bill is not part of the Executive budget recommendation for expenditure in FY09.

CYFD reports the substitute bill creates a “discharge hearing” for every child emancipating from foster care and requires CYFD to assign a transition coordinator to every youth emancipating from foster care. Approximately 100 – 120 youth emancipate from foster care each year. CYFD caseworkers, youth services consultants, attorneys, courts, respondent attorneys and youth attorneys would have to participate in 100 –120 additional hearings each year. A low estimate of the CYFD staff time required to prepare and participate in these hearings would range between \$75,000 to \$100,000 annually.

CYFD further reports that the substitute bill requests an appropriation of \$400,000 and five FTE as transition coordinators. CYFD would be required to assign a transition living coordinator to every child emancipating from foster care. There are approximately 350 young adults between the ages of 17 to 21 who have emancipated from foster care. Assuming a caseload of 15 clients per transition coordinator, it is estimated that 25 transition coordinators would be needed. Assuming an average salary of \$50,000 including benefits, the cost for these full-time positions is approximately \$1,250,000.

## **SIGNIFICANT ISSUES**

The court currently has no jurisdiction over youths over the age of 18 formerly in state custody.

The substitute bill creates a new discharge hearing to be held 90 days before a foster child reaches eighteen years of age. The bill extends the children's court's jurisdiction after the child's emancipation until the court finds that CYFD has met requirements of providing a transition living plan, transition living services and assigned a transition coordinator to every emancipating child. The court is permitted to continue jurisdiction over the case until the court determines that CYFD has met all the requirements, or the child waives implementation of a transition living plan and elects to have the case dismissed.

The substitute bill requires the development of an educational "next-step plan" for every child in custody who reaches the age of fourteen. The bill also requires CYFD to coordinate with staff from the child's school for a meeting that includes the child, the child's attorney, the authorized educational decision-maker, and school staff.

The substitute bill also provides for application for driver's licenses for children in department custody. This amendment to the Motor Vehicle Code includes language permitting the Department to authorize staff and certain relatives to sign and verify an application for a foster child to obtain a driver's license or a precursor to such a license. The bill provides waiver of liability for damages caused by the negligence or willful misconduct of a minor driver whose application was signed by a protective services worker or juvenile probation officer.

## **PERFORMANCE IMPLICATIONS**

The children's court jurisdiction terminates upon the child reaching the age of majority. As a result, the legislation will increase the court's caseload. AOC reports that the legislation does not provide any age bracket during which period the child could request special hearings of the court. As a result, the court would be required to continue jurisdiction until it finds the criteria have been met, unless the youth elects not to have court supervision, regardless of the person's age.

## **ADMINISTRATIVE IMPLICATIONS**

TRD reports that The Motor Vehicle Division will have to revise its procedures and application form to reflect the bill's addition of grandparents, adult siblings, aunts and uncles, foster parents, child protective services workers and probation officers as eligible individuals to sign the driver's license application of a minor who is in state custody. These procedures will have to include the conditions under which a child protective services worker or probation officer may sign the minor's application.

The substitute bill creates a new Discharge Hearing to be held ninety days before the child reaches eighteen years of age or at the last judicial review or permanency hearing prior to the child's eighteenth birthday. The addition of this hearing will have resource and administrative implications for CYFD, the courts, and the court-appointed attorney fee fund. The impact of the additional hearing would be ameliorated if held in conjunction with the hearing already required by the children's code.

**TECHNICAL ISSUES**

ALTSD notes that the substitute bill does not address the role of the ALTSD in the “referral for guardianship or limited guardianship if the child is incapacitated, including referral for a treatment guardian” at the discharge hearing.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

ALTSD further notes that foster youth aging out of the State’s custody will not have coordinated transition support for entry into the adult system.

AHO/bb