

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SB 214

50th Legislature, 1st Session, 2011

Tracking Number: .183600.1

Short Title: Delay Leaving State Foster Care

Sponsor(s): Senators Mary Jane M. García, Cynthia Nava, and Lynda M. Lovejoy

Analyst: James Ball

Date: March 10, 2011

Bill Summary:

SB 214 requires the Children, Youth and Families Department (CYFD) to notify children in foster care and attending high school when they attain the age of 17 that they have an option to stay in the care of the state after they attain the age of 18 until they graduate from high school or attain the age of 21. During this period the state will provide services, housing, education, and medical care to the same degree that it did prior to these children's eighteenth birthday.

Fiscal Impact:

SB 214 does not contain an appropriation.

Fiscal Issues:

According to CYFD's analysis of SB 214, providing the services required in the bill at the same level as those provided prior to a child's eighteenth birthday is likely to require an increase in the department's care and support budget of \$1.4 million. The bill would also significantly increase caseloads for workers and require new staff, which could cost up to \$440,000 per year.

Technical Issues:

The CYFD analysis notes that SB 214 conflicts with the *Children's Code*, which does not allow a person over the age of 18 to remain in foster care and in the custody of the state.

Substantive Issues:

Citing a report from 2003, the analysis by the Public Education Department says that approximately 13 percent (or 276 children) of the 2,127 children in foster care are 16 to 18 years old.

One issue identified in the CYFD analysis is that SB 214 does not address the situation whereby a child in foster care elects to obtain a certificate of general educational development, or GED.

Background:

According to CYFD, the Protective Services Division of CYFD operates the Youth Services Program for youth who emancipate from foster care. The program provides for a monthly

stipend payment to assist the youth with living expenses and limited case management services, which include access to educational, vocational, and other independent and transitional living services. Youth who have earned either a GED or high school diploma are also eligible to receive federally supported education and training vouchers to assist in achievement of postsecondary educational/vocational goals. Youth who emancipate from the foster care system are eligible to receive Medicaid until age 21. A description of the benefits of the Youth Services Program is provided to the youth and the youth's attorney at the transition staffing.

Related Bills:

None as of March 10, 2011.