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FISCAL IMPACT REPORT

SPONSOR <u>Padilla</u>	LAST UPDATED <u>3/8/2023</u>
SHORT TITLE <u>Fostering Connections Eligibility</u>	ORIGINAL DATE <u>2/21/2023</u>
	BILL NUMBER <u>Senate Bill 328/aSHPAC</u>
	ANALYST <u>Chenier</u>

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
		Indeterminate but Minimal	Indeterminate but Minimal		Recurring	General Fund

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

HB2 includes an additional \$3.6 million for youth aging out of foster care.

Sources of Information

LFC Files

Responses Received From

Human Services Department (HSD)
 Office of Attorney General (NMAG)
 Administrative Office of the Courts (AOC)
 Children, Youth and Families Department (CYFD)

SUMMARY

Synopsis of SHPAC Amendment to Senate Bill 328

The Senate Health and Public Affairs Committee amendment to Senate Bill 328 removes youth in any other state’s foster care system from the expansion in eligibility. It also replaces an “and” with an “or,” restoring to existing law the requirements that must be met for eligibility.

Synopsis of Senate Bill 328

Senate Bill 328 expands eligibility for the fostering connections program by allowing for youth in the custody of the department or any other state’s foster care system because of abuse and neglect proceedings, families in need of court ordered services proceedings, or a voluntary placement agreement to receive these services as opposed to limiting the program to “adjudicated” adults as is currently in statute.

However, the bill also limits eligibility by changing “or” to “and” requiring participants to have been 14 years old when a guardianship assistance agreement or adoption assistance agreement

was in effect and whose guardianship assistance agreement or adoption assistance agreement was terminated or the guardian or parents are no longer willing to provide emotional or financial support after the child attained 18 years of age.

This bill does not contain an effective date and, as a result, would go into effect June 16, 2023, (90 days after the Legislature adjourns) if signed into law.

FISCAL IMPLICATIONS

CYFD said there are currently 10 young people who may be able to access services under this bill, and CYFD can absorb this fiscal impact through existing resources.

SIGNIFICANT ISSUES

Currently, young people who age out of foster care are not eligible for Extended Foster Care (EFC) unless they have been adjudicated, and age out of foster care without access to needed services and supports. This bill now excludes all children who were *not* subject to a guardianship assistance agreement or adoption assistance agreement.

HSD said expanding the Fostering Connections program could impact the adult behavioral health system in a positive way overall, as it would provide vulnerable young adults with supports that positively impact mental health. Young adults who were formerly in foster care face unique challenges that require increased supports compared to young adults who were never placed in foster care or other out-of-home placements. Former foster care youth are half as likely to be able to pay rent or mortgage, and one-fifth (1/5) of former foster youth experience homelessness within a year of emancipation. One-third (1/3) of former foster care youth have been diagnosed with a mental health problem. Providing more emancipated youth with access to the fostering connections program could ameliorate some of these effects.

AOC provided the following:

The intent of extended foster care is to help young people, aging out of the foster care system, with services and support to transition them to adulthood.

The Annie E. Casey Foundation describes the importance of extended foster care in the following paragraphs found at <https://www.aecf.org/blog/extended-foster-care-explained>:

Research shows that extending support into the first few years of adulthood can make a clear, positive difference in the lives of youth in care. Young people gain more time to develop critical life skills, relationships and resources that can help them thrive as adults. Child welfare agencies gain more time to pursue permanency and prevent having a young person age out of the system alone and unsupported.

Providing this extended support into young adulthood is particularly important for [youth of color and LGBTQ youth who are overrepresented in the foster care system](#) and are more likely to experience negative outcomes.

Additionally, the federal government amended their title IV-E foster care program in the Federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L.

110-351) to allow states the option of allowing young people to remain in foster care after

www.childwelfare.gov/pubpdfs/extensionfc.pdf .

TECHNICAL ISSUES

The SHPAC amendment addresses the concern with the original bill raised by CYFD. The change would “ensure that children *not* subject to a guardianship or adoption assistance agreement who are nonetheless in CYFD custody at the time they age out are eligible for the Fostering Connections Program.”

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