

Senate Bill No. 1252

CHAPTER 774

An act to amend Section 11403.2 of the Welfare and Institutions Code, relating to public social services.

[Approved by Governor September 29, 2014. Filed with
Secretary of State September 29, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1252, Torres. Public social services: former foster youth: transitional housing.

Existing law makes transitional housing available to any former foster youth who is at least 18 years of age and not more than 24 years of age who has exited from the foster care system and has elected to participate in the Transitional Housing Program-Plus, as defined, if he or she has not received services pursuant to these provisions for more than a total of 24 months.

This bill would authorize a county to, at its option, extend transitional housing pursuant to the above provisions to a former foster youth who is not more than 25 years of age, and for a total of 36 cumulative months, if the former foster youth is completing secondary education or is enrolled in an institution that provides postsecondary education.

The people of the State of California do enact as follows:

SECTION 1. Section 11403.2 of the Welfare and Institutions Code is amended to read:

11403.2. (a) The following persons shall be eligible for transitional housing provided pursuant to Article 4 (commencing with Section 16522) of Chapter 5 of Part 4:

(1) Any foster child at least 16 years of age and not more than 18 years of age, and, on or after January 1, 2012, any nonminor dependent, as defined in subdivision (v) of Section 11400, who is eligible for AFDC-FC benefits as described in Section 11401. A foster child under 18 years of age shall be eligible for placement in the program certified as a "Transitional Housing Placement Program," pursuant to paragraph (1) of subdivision (a) of Section 16522.1. A nonminor dependent shall be eligible for placement in the program certified as a "Transitional Housing Placement-Plus Foster Care Program" pursuant to paragraph (2) of subdivision (a) of Section 16522.1.

(2) (A) Any former foster youth at least 18 years of age and, except as provided in subparagraph (B), not more than 24 years of age who has exited from the foster care system on or after his or her 18th birthday and elects to participate in Transitional Housing Program-Plus, as defined in

subdivision (s) of Section 11400, if he or she has not received services under this paragraph for more than a total of 24 months, whether or not consecutive. If the person participating in a Transitional Housing Program-Plus is not receiving aid under Section 11403.1, he or she, as a condition of participation, shall enter into, and execute the provisions of, a transitional independent living plan that shall be mutually agreed upon, and annually reviewed, by the former foster youth and the applicable county welfare or probation department or independent living program coordinator. The person participating under this paragraph shall inform the county of any changes to conditions specified in the agreed-upon plan that affect eligibility, including changes in address, living circumstances, and the educational or training program.

(B) A county may, at its option, extend the services provided under subparagraph (A) to former foster youth not more than 25 years of age, and for a total of 36 months, whether or not consecutive, if the former foster youth, in addition to the requirements specified in subparagraph (A), meets either of the following criteria:

(i) The former foster youth is completing secondary education or a program leading to an equivalent credential.

(ii) The former foster youth is enrolled in an institution that provides postsecondary education.

(b) Payment on behalf of an eligible person receiving transitional housing services pursuant to paragraph (1) of subdivision (a) shall be made to the transitional housing placement provider pursuant to the conditions and limitations set forth in Section 11403.3. Notwithstanding Section 11403.3, the department, in consultation with concerned stakeholders, including, but not limited to, representatives of the Legislature, the County Welfare Directors Association of California, the Chief Probation Officers of California, the Judicial Council, representatives of Indian tribes, the California Youth Connection, former foster youth, child advocacy organizations, labor organizations, juvenile justice advocacy organizations, foster caregiver organizations, researchers, and transitional housing placement providers, shall convene a workgroup to establish a new rate structure for the Title IV-E funded THP-Plus Foster Care placement option for nonminor dependents. The workgroup shall also consider application of this new rate structure to the Transitional Housing Program-Plus, as described in paragraph (2) of subdivision (a) of Section 11403.3. In developing the new rate structure pursuant to this subdivision, the department shall consider the average rates in effect and being paid by counties to current transitional housing placement providers.