



# SENATE BILL 424: Fostering Success

**This Bill Analysis  
reflects the contents  
of the bill as it was  
presented in  
committee.**

2015-2016 General Assembly

<b>Committee:</b>	Senate Re-ref to Judiciary I. If fav, re-ref to Appropriations/Base Budget	<b>Date:</b>	June 2, 2015
<b>Introduced by:</b>	Sens. Barringer, Harrington, Tucker	<b>Prepared by:</b>	Susan Sitze Committee Counsel
<b>Analysis of:</b>	PCS to First Edition S424-CSSA-67		

**SUMMARY:** *The Proposed Committee Substitute (PCS) for Senate Bill 424 would extend the provision of foster care to the age of 21 years and appropriate funds to implement the act.*

**CURRENT LAW:** The State Foster Care Benefits Program provides foster care benefits to children in foster care until age 18. Full-time students may receive benefits until age 21.

### BILL ANALYSIS:

**Section 1** would extend foster care benefits to a person in foster care until the age of 21 if the person meets one of the following requirements:

- Is completing high school or a GED
- Is enrolled in college or a vocational program
- Is participating in an employment program
- Is employed for at least 80 hours per month
- Is incapable of completing one of these requirements due to a medical condition or disability.

This section also provides that an individual over 18 receiving benefits may be approved to reside outside a foster care facility in a college or university dormitory or other semi-supervised housing arrangement.

**Section 2** would extend adoption assistance benefits to age 21 for those adopted after 16, but prior to 18. Federal law requires the corresponding change as a result of increasing the benefit age for foster care benefits.

**Section 3** would hold counties harmless from contributing 50% of the nonfederal share of the cost for an individual receiving benefits from age 18 to 21.

**Sections 4 and 5** would make conforming changes in the foster care facility statutes to reflect the increase in benefit age to 21.

**Section 6** would authorize the Social Services Commission to adopt rules to implement the increase in benefit age to 21.

**Section 7** would require a court review of a voluntary foster care placement of a person receiving foster care benefits between age 18 & 21.

**Section 8** would require the Department of Health and Human Services to develop a plan to expand foster care benefits to age 21 and report to the Joint Legislative Oversight Committee on Health and

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Human Services and the Fiscal Research Division by October 1, 2015 on the development of the plan, and again by November 1, 2016 on the implementation of the plan. No later than 60 days after the implementation of the plan, the Department shall submit a state plan amendment to the US Department of Health and Human Services Administration for Children and Families.

**Section 9** would authorize the Department of Health and Human Services to provide for the financial support of children who are deemed to be in a permanent family placement setting, eligible for legal guardianship, and otherwise unlikely to receive permanency. The section would set forth guidelines for the development of a Guardianship Assistance Program (GAP) and would require the Social Services Board to adopt rules to implement the section.

**Sections 10 and 11** would make appropriations to implement the expansion of foster care benefits to age 21.

**Section 12** would clarify that any person receiving extended benefits under the current law allowing full time students to receive benefits to age 21 would remain under their current agreement.

**EFFECTIVE DATE:** Section 1 of this act becomes effective August 1, 2016, and applies to agreements entered into on or after that date. Sections 8 and 12 of this act are effective when they become law. Section 10 of this act becomes effective October 1, 2015. Section 11 of this act becomes effective July 1, 2016. The remainder of this act becomes effective August 1, 2016.