



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5183 (Substitute H-1 as reported with amendment)
Sponsor: Representative John Stahl
House Committee: Family and Children Services
Senate Committee: Families and Human Services

Date Completed: 2-11-04

RATIONALE

Some people who have been through the State's foster care system and independent living programs have experienced difficulties and have suggestions as to how the system could be improved. Complaints may involve infrequent visits by caseworkers, placement in homes that were not ideal for the individual children involved, foster parents who used State and Federal foster care money for their own needs instead of the foster children for whom the money was meant, and inadequate efforts to keep siblings together. It has been suggested that the Family Independence Agency (FIA) should consult with foster care youth focus groups, made up of people who have first-hand experience with the system either as children or as parents, in crafting agency policy and increasing public knowledge about the needs and experiences of foster care children.

CONTENT

The bill would amend the Social Welfare Act to require the Family Independence Agency to establish and administer a State plan for foster care according to the provisions of Part E of Title IV of the Social Security Act (42 USC 670 to 679b). (Title IV-E pertains to Federal payments for foster care and adoption assistance, and requires states to submit a plan to the U.S. Department of Health and Human Services in order to qualify for the funds.) The State plan would have to include programs and services that promoted, implemented, and supported foster care focus groups. The bill would require the FIA to use input from locally-based foster care focus groups when developing and reviewing annually the State plans to carry out foster care policy and services.

A focus group would have to consist of youths in foster care or independent living programs, youths previously in foster care, and foster parents or relatives caring for youths in foster care.

In order to inform the Legislature, the Executive Office, the judiciary, and the public of the needs and interests of youths in foster care, foster parents, and relatives caring for youths in foster care, the bill would encourage the establishment of foster care focus groups in both of the following:

- Licensed child placing agencies with which the FIA contracts for youth foster care services that have an annual average daily foster care caseload of at least 150 cases or that derive more than 50% of their operating budget from contracts with the FIA for youth foster care services.
- Counties in which the FIA has an annual average daily foster care caseload of at least 150 cases.

The bill specifies that State and Federal funds appropriated to implement State plans in compliance with Part E of Title IV and State laws could be used to meet the proposed provisions.

Proposed MCL 400.18e

BACKGROUND

Part E of Title IV

Part E of Title IV of the Social Security Act authorizes the appropriation of funds for the purpose of enabling each state to provide foster care and transitional independent living

programs for children who are likely to remain in foster care until age 18, and adoption assistance for special-needs children. To qualify for these Federal funds, a state must submit a plan to the Secretary of the U.S. Department of Health and Human Services (HHS) for approval. In addition to meeting other criteria, the plan must specify goals for each fiscal year with respect to the number of children who remain in foster care for more than 24 months; provide that a child's health and safety are of paramount concern; provide that reasonable efforts will be made to preserve and reunify families, unless a parent submits the child to aggravated circumstances, commits certain crimes, or has his or her parental rights to a child's sibling terminated; and provide for insurance coverage for certain special-needs children.

States may receive funding to help implement programs to do the following:

- Identify children who are likely to remain in foster care until they turn 18 and to help them make the transition to self-sufficiency by providing services such as assistance in obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventative health activities.
- Help children who are likely to remain in foster care until age 18 receive the education, training, and services necessary to obtain employment.
- Help children who are likely to remain in foster care until age 18 prepare for and enter postsecondary training and education institutions.
- Provide personal and emotional support to children aging out of foster care through mentors and the promotion of interaction with dedicated adults.
- Provide financial, housing, counseling, employment, education, and other support and services to former foster care recipients between 18 and 21 years old to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept personal responsibility for preparing for and making the transition from adolescence to adulthood.
- Make vouchers available for education and

training, including postsecondary training and education to youths who have aged out of foster care.

To receive these funds, a state must submit to the HHS Secretary a plan that specifies which state agency will administer the program and describes how the state intends to: deliver the program effectively, ensure that the program serves all political subdivisions of the state, ensure that the program serves children of various ages and at various stages of achieving independence, involve the public and private sectors in helping adolescents in foster care achieve independence, use objective criteria for determining eligibility for benefits and services, and cooperate in national evaluations of the effects of the program in achieving the purposes of the funding.

Existing Foster Care Groups

There are several existing groups that address foster care issues, including the Youth in Transition program. Funded with Federal IV-E money, the program is designed to prepare eligible foster care youths between the ages of 14 and 23 for living on their own through educational support, job training, independent living skills training, and self-esteem counseling.

Family to Family is a program funded by a grant to the FIA from the Annie E. Casey Foundation. The program strives to place a child who must be removed from his or her family with one permanent and stable family in the child's community until reunification with the birth parents occurs or the child is adopted. Currently, there are five Family to Family sites in the State--two in Wayne County, one serving Livingston and Washtenaw Counties, and one each in Bay and Macomb Counties.

In addition, Michigan State University operates the Kinship Care Resource Center. According to the Center's website, its mission is to provide support for the physical, emotional, cultural, and social well-being of kinship families in Michigan. Among its activities are linking families to community resources, providing kinship care-related technical support and consultation to agencies, and advocating for systems change at the legislative, agency, and community levels.

According to the FIA, it plans to explore a partnership with the Center.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Foster parents and foster children have invaluable experience with the foster care system that could be used to improve it. They are in the best position to understand which policies are effective and which interfere with foster children's ability to adjust to new families and become independent, successful members of society as they age out of the system. It would be logical for the FIA to seek input in policy decisions from those who are most affected by the system. The bill would empower foster care youths by giving them a voice in creating the programs and services that are meant to address their needs. Additionally, their involvement in the focus groups would increase their knowledge of the political process, help them develop leadership skills, and improve the community's knowledge of the needs of foster children.

Legislative Analyst: Julie Koval

FISCAL IMPACT

It appears that the bill would have no fiscal impact on State or local government. The FIA currently operates two foster care focus groups, also known as youth boards, as part of a Youth in Transition initiative funded by a private foundation grant. The grant is for three years. The bill, however, would allow for the use of Federal Title IV-E and State funds for this purpose.

Fiscal Analyst: Constance Cole

H0304\s5183a

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.