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BILL ANALYSIS



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House Bill 4481 (Substitute H-1 as passed by the House)
Sponsor: Representative Brenda Clack
House Committee: Families and Children's Services
Senate Committee: Families and Human Services

Date Completed: 3-10-08

CONTENT

The bill would create the "Foster Care Independence Act" to do the following:

- Require the Department of Human Service (DHS) to establish a foster care independence program for young adults (individuals at least 14 years old but under 21) who had been placed in foster care because of child abuse or neglect, to help them make the transition to adulthood and self-sufficiency.**
- Require the program to provide certain services, including help obtaining a high school diploma, assistance preparing for postsecondary education, vocational training, and life skills training, to young adults who were likely to age out of foster care.**
- Require the DHS to provide assistance, including classes on interpersonal communication and living skills, educational support, and stipends to cover first month's rent, utility deposits, and security deposits, to eligible young adults in the program.**

Foster Care Independence Program

The DHS would have to establish the foster care independence program to offer education, training, employment, and financial support for young adults leaving foster care. The program would have to identify young adults who were likely to remain in foster care until 18 years of age and help them make the transition to self-sufficiency by providing services such as the following:

- 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.
- Preventive health activities, including smoking avoidance, nutrition education, and pregnancy prevention.

The program also would have to help young adults who were likely to remain in foster care until 18 years of age receive education, training, and services necessary to obtain

employment, and would have to help them prepare for and enter postsecondary training and education institutions.

The program would have to provide personal and emotional support to children aging out of foster care, through mentors and the promotion of interactions with dedicated adults.

In addition, the program would have to provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between the ages of 18 and 21 to complement their own efforts to achieve self-sufficiency and to assure that program participants recognized and accepted their personal responsibility for preparing for and then making the transition from adolescence to adulthood.

Eligibility

A young adult would be eligible for services under the bill if he or she had been in a foster care placement through the State based on child abuse or neglect on or after his or her 14th birthday.

"Child abuse" and "child neglect" would mean those terms as defined in Section 2 of the Child Protection Law (CPL). (Under the CPL, "child abuse" means harm or threatened harm to a child's health or welfare that occurs through nonaccidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment, by a parent, legal guardian, or any other person responsible for the child's health or welfare or by a teacher, teacher's aide, or member of the clergy. "Child neglect" means harm or threatened harm to a child's health or welfare by a parent, legal guardian, or any other person responsible for the child's health or welfare that occurs either through negligent treatment or through placing a child at an unreasonable risk to his or her health or welfare.)

A young adult would not be eligible for services if one or more of the following applied:

- He or she was never in an out-of-home placement based on child abuse or neglect.
- He or she was in a detention facility or other State-operated facility.
- He or she was in an out-of-home placement solely as an adjudicated delinquent.

If the young adult currently was an adjudicated delinquent but met the eligibility criteria before his or her adjudication, services could be provided under the bill. "Adjudicated delinquent" would mean an individual found to have committed an offense that, if committed by an adult, would be a criminal offense.)

Services would have to be provided under the bill to eligible young adults 14 years of age and older regardless of the permanency planning goal. Services would have to be available to all eligible young adults after case closure through 20 years of age, and would have to be provided on an "as-needed" basis.

Goods & Services

The DHS would have to provide at least all of the following goods and services to eligible young adults in the program:

- Services that were not available from other funding sources or agencies for eligible young adults currently in the foster care system and for young adults released from foster care before reaching 21 years of age.
- Educational support.

- Classes or groups on interpersonal communication and building and maintaining relationships and classes or groups on independent living skills.
- Stipends to cover the cost of utility deposits, security deposits, and first month's rent to eligible young adults who were leaving foster care or had left foster care because they had reached 18 years of age but had not reached 21 years of age.

The first month's rent and damage deposit could be provided only to young adults 18 to 21 years of age who were leaving foster care or who had left foster care because they had reached 18 or 19 years of age and had not reached 21 years of age.

The DHS could provide goods and services allowed under Federal law and any other goods and services that it considered appropriate.

The DHS would have to make known a list of goods and services provided under the program.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have no fiscal impact on State or local government. Creation of the foster care independence program, as described in the bill, would not require the Department of Human Services to provide any additional services to young adults in foster care beyond what is currently provided.

Fiscal Analyst: David Fosdick

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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.