
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2019 - 2020 Regular Session

AB 1979 (Friedman) - Foster youth: housing.

Version: July 28, 2020

Urgency: No

Hearing Date: August 17, 2020

Policy Vote: HUMAN S. 7 – 0

Mandate: Yes

Consultant: Samantha Lui

Bill Summary: Assembly Bill 1979 would make a number of changes to expand housing options available for youth in the extended foster care system.

Fiscal Impact: Staff estimates:

- \$3.5 million (General Fund), annually ongoing, to CDSS to pay for transitional housing providers for up to 14 days in a calendar month in which the foster youth is absent and does not return to the same provider. Although the duration and number of absences is difficult to ascertain, this figure assumes \$120 per day per child rate.
- \$515,000 General Fund in state staff for the evaluation for counties to assess emergency placement and to add non-minor dependents to the evaluation.
- Unknown costs to counties to each evaluate their ability to meet the emergency housing needs of youth in extended foster care.

**Proposition 30 was passed by the voters in November 2012, and among other provisions, eliminated any potential mandate funding liability for any new program or higher level of service mandated on the counties related to realigned programs, including child welfare services and foster care. Rather, legislation enacted after September 30, 2012, that has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by realignment only apply to local agencies to the extent that the state provides annual funding for the cost increase. Local agencies are not obligated to provide programs or levels of service required by legislation above the level for which funding has been provided.*

Background: California's child welfare services (CWS) system serves an essential role of the state's safety net. Upon receipt of a report of child abuse or neglect, a county social worker would investigate, and if a case is substantiated, a family is either provided with services to ensure a child's well-being and avoid court involvement, or a child is removed and placed into foster care (dependency). As of January 1, 2020, there were 59,156 children in California's CWS system.

AB 12 (Beall, Chapter 559, Statutes of 2010) permits foster youth to remain in extended foster care until age 21, under the same criteria as federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351). At the six month hearing prior to a youth turning 18 years old, the youth's social worker or probation officer must submit a transitional living plan to ensure that the youth will meet at least one participation criteria to participate in extended foster care (EFC). The youth must agree to remain in foster care within six months of turning 18, reside in an eligible placement, and agree to work with their social worker to meet their transitional living plan's goals. Additionally, existing law allows qualifying nonminors dependents (NMDs) who are

former foster youth under the age of 21 to petition the court for re-entry into foster care to participate in extended foster care, as provided. As of January 1, 2020 there were an estimated 7,396 youth participating in extended foster care in California.

There are several types of housing programs for youth and young adults, including:

- Transitional Housing Placement Program (THPP). THPP placements provide safe living environments for youth who are 16 to 18 years old and participating in an Independent Living Program (ILP). The goal of these placement is to provide youth with a housing environment where they can safely learn and practice independent living and self-sufficiency. Participants are able to live alone, with CDSS approval, with a host family or with roommates in apartments or single-family dwellings. Participating youth are supported and supervised by THPP agency staff, who may live onsite, county social workers and ILP coordinators.
- Transitional Housing Placement Program for Non-Minor Dependents (THP-NMD). This placement provides NMDs, 18 to 21 year olds, with transitional housing and supportive housing based on the youth's Transitional Independent Living Plan. Youth participating in a THP-NMD placement receive case management, supervision, and supportive services from their THP-NMD provider.
- Transitional Housing Program-Plus (THP+). The THP+ program provides housing for former foster youth between the ages of 18 and 24 who exited foster care on or after their 18th birthday. A qualifying youth can receive THP+ housing and services for 24 cumulative months, or until they turn 24 if that occurs before their 24 month clock has run. These placements are not licensed by CDSS, but are certified by the county social services agency.
- Supervised Independent Living Placements (SILPs). In an SILP a youth lives in an apartment, house, condominium, room and board arrangement, or college dorm, either alone or with an approved roommate, while still under the supervision of their social worker or probation officer and receiving supports and services of extended foster care.

Proposed Law:

- Expands the definition of a “supervised independent living setting” (SILP) to include a transitional living setting approved by the county to support youth who are entering or reentering foster care or transitioning between placements, but excludes a youth homelessness prevention center or an adult homeless shelter from qualifying.
- Provides that the California Community Cares Facilities Act does not apply to a transitional living setting, as defined.
- Enables a county to elect to certify that a SILP meets health and safety standards once every 12 months, as long as the county has no reason to believe that the health and safety conditions of the housing option have changed. Further provides that this supervision does not require that the individual placements be

certified every 12 months if the same youth remains continuously in the placement.

- Requires a county placement agency to examine the county's ability to meet the emergency housing needs of NMDs in order to ensure that all NMDs have access to immediate housing upon reentering foster care or for periods of transition between placements.
- Requires a county to approve payment to a transitional housing placement provider for a period of up to 14 days in a calendar month in which the NMD is absent from the placement if the NMD provides notice to the transitional housing placement provider that they intend to return to that placement within 14 days or the transitional housing placement provider has reason to believe the NMD will be returning within 14 days.
- Prohibits a transitional housing placement provider from filling a NMD's place if the NMD is temporarily absent from the placement for 14 days or less, and requires the county to continue to pay board and care costs for up to 14 days, unless the provider and the NMD's case worker have jointly determined the NMD is unlikely to return within 14 days.

Related Legislation:

- SB 912 (Beall, 2020) specifies the treatment of NMDs who turn 21 during a declared state of emergency, and provides for EFC for youth who turn 18 while under a temporary dependency order during the declared state of emergency and for 90 days thereafter. This bill is pending consideration in the Assembly Appropriations Committee.
- AB 531 (Friedman, 2019) was similar to this bill and would have allowed certain approved caregivers to convert to a host family without additional certification, among other provisions. AB 531 was held on the Senate Appropriations Committee Suspense file.
- SB 612 (Mitchell, Chapter 731, Statutes of 2017) made a number of changes to the program rules and educational requirements for transitional housing programs available to minors and NMDs in foster care.
- AB 1712 (Beall, Chapter 846, Statutes of 2012) enabled a dependent youth to continue receiving foster care, Kinship Guardian Assistance Payments and other funding after age 18, if they are NMDs, and added THP+NMD Foster Care to the list of programs licensed by the CDSS.
- AB 427 (Hertzberg, Chapter 125, Statutes of 2001) established the Foster Youth Transitional Housing Fund to pay for transitional housing costs for foster and emancipated youth.