
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2019 - 2020 Regular Session

AB 531 (Friedman) - Foster youth: housing

Version: May 16, 2019

Urgency: No

Hearing Date: August 12, 2019

Policy Vote: HUMAN S. 6 - 0, JUD. 8 - 0

Mandate: Yes

Consultant: Debra Cooper

Bill Summary: AB 531 would increase the housing options available for youth in the extended foster care system.

Fiscal Impact:

- Ongoing costs in the high tens of millions of dollars annually to counties for housing navigation services, subject to an appropriation in the annual budget act. Counties are not currently required to provide their own housing navigation services; to do so many would have to contract with an entity that does, resulting in local assistance costs. (GF)
- Local assistance impact in the tens of millions of dollars for counties to convert currently licensed foster homes or relative placements into Transitional Housing Program homes due to the THP host family rate being higher than the rate paid to a non-transitional foster family (GF)
- Unknown, significant costs to counties for automation. County automation payment systems would need to be updated so that the split payments to the three parties could be tracked correctly or a new rate structure would need to be developed.
- Unknown costs to counties to 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: Transitional Housing Placement Program (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.

Federal law allows foster youth to remain in care past age 18 if they are pursuing education, as specified, or employed for at least 80 hours a month, or other qualifying activities. In 2010, to align with federal law, AB 12 (Beall, Chapter 559, Statutes of 2010) permitted foster youth to remain in extended foster care until age 21. Former foster youth who opt into the extended foster care program are eligible for three types of placements: the home of a relative or non-related extended family member, a supervised independent living placement (SILP), or a transitional housing placement program.

Transitional Housing Program-Plus (THP-Plus) is an optional, county-certified placement option for nonminor dependents (NMDs) ages 18-24. In April of 2017 there were approximately 1,500 youth in THP-Plus placements. These placements are not licensed by CDSS, but rather certified by the county social services agency who must ensure certain health and safety standards are met and must certify that the program is needed by the county and the provider is capable of effectively operating the program and meeting the needs of the identified population. Youth in this program are not eligible for foster care payments.

The THP-Plus-Foster Care (THP+FC) program allows nonminor dependents to live with a host family who has been approved by the transitional housing provider. Additionally, nonminor youth can live independently in an apartment, condominium, or home with regular supervision from the provider. Youth participating in a THP+FC placement receive case management, supervision, and supportive services from their THP+FC provider. According to a 2017 report published by the John Burton Advocates for Youth, on April 1, 2017, there were 1,661 NMDs placed in THP+FC. As of January 2017 there were 66 providers licensed by CDSS to provide THP+FC placements in 30 counties.

NMDs in extended foster care also have the option of living in an SILP, this allows the youth to live independently while still receiving the supports and services extended foster care provides. 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.

Proposed Law: This bill would increase the housing options available for youth in the extended foster care system. Specifically, this bill would:

- Provide that a host family, may be certified by the transitional housing placement provider, or may include an approved resource family, a licensed foster family home or certified foster family home, an approved relative caregiver, or a nonrelative extended family member of the participant, as provided, and state that for these previously approved caregivers, additional certification by the transitional housing placement provider is not required;
- Provide that a county may certify that a supervised independent living placement meets health and safety standards once every 12 months, as long as the housing option remains listed in a database maintained by the county and the county has no reason to believe that the health and safety conditions of the housing option have changed;
- Provide that payments for transitional housing services for NMDs living with a host family shall be equally divided between the transitional housing placement provider, host family, and NMD, unless a different apportionment is agreed to by all parties;

- Require county placement agencies to evaluate 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;
- Require counties to continue 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 intent to return within 14 days or the transitional housing placement provider has reason to believe the NMD will be returning within 14 days. Additionally, would prohibit the provider from filling the NMD's place during that period, unless their caseworker determines that the NMD's return is unlikely;
- Authorize a resource parent, approved relative caregiver or non-relative extended family member, foster family, or certified family home to be converted to a host family without additional certification;
- Authorize a child welfare agency to request housing navigation funding from CDSS, subject to an appropriation, to provide housing navigation services to foster youth who will soon enter extended foster care or to NMDs to assist them in securing housing. Further would provide that a child welfare agency may provide these housing navigation services directly or through a contract with other housing assistance programs;
- Require housing navigation services provided to prioritize providing services to those who are most in need of assistance in securing safe and stable housing, including foster youth who have no identified placement as they transition to extended foster care and NMDs who report disruption in their living arrangements and authorize counties to identify additional populations for priority provision of navigation services;
- Require housing navigation services to be individualized based on the foster youth's unique need, as specified;
- Authorize counties to include additional navigation services as appropriate to support housing placement and housing stability, including, but not limited to, identifying and securing additional supervised independent living placements and maintaining a repository of placement options, including rooms and apartments, that may be rented;
- Require CDSS, in consultation with the County Welfare Directors Association of California, to update the Child Welfare Services/Case Management System, or develop another automated method, to track housing navigation services and document the reported outcome;
- Authorize child welfare agencies that provide housing navigation services, subject to an appropriation, to also request from CDSS funding to provide additional housing-related financial assistance to foster youth, including, but not limited to, rental assistance, security deposit assistance, utility payments, moving cost assistance, and to provide risk mitigation funds, landlord or host incentives, and interim housing assistance.

Related Legislation:

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.

SB 1013 (Committee on Budget and Fiscal Review, Chapter 35, Statutes of 2012) allowed a licensed transitional housing placement provider to operate a THC FC program for nonminor dependents between ages of 18 and 21.

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 nonminor dependents. It added THP-Plus Foster Care to the list of programs licensed by CDSS.

AB 12 (Beall, Chapter 559, Statutes of 2010) established the California Fostering Connections to Success Act, enabling youth aging out of foster care to opt into extended foster care between the ages of 18 and 21.

Staff Comments: The cost of evaluating the ability to meet the emergency housing needs of NMDs is unknown, yet potentially significant. Placement of an NMD is frequently unique and placements are not often re-used for multiple NMDs, especially in the case of SILPs, which makes the creation and maintenance of a centralized database costly and labor-intensive. Additionally, there would be an increase in costs for the additional time required for family finding. This portion is required by the bill and would therefore, result in a Proposition 30 General Fund impact.

The average foster family rate in FY 2019-20 will be \$1,065, and the rate paid to a host family is \$2,225.

There are currently 4,266 foster youth age 16 or over in a placement eligible to be converted to a host family. It is unclear as to whether the transition to a host family would include transitional housing for youth 16-17 years old.

There are 3,280 SILP cases, which require two hours of additional social worker time annually to recertify as meeting health and safety standards. Certifying that a SILP meets health and safety standards is optional and therefore, will be a county cost with no General Fund impact. These activities, however, would require two hours of additional social worker time for travel to and from the site, inspecting the facility, and preparing documentation. This would likely result in a county cost of up to \$1 million total funds annually.

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