

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1325 w/CS Relating to Independent Living Transition Services

SPONSOR(S): Roberson

TIED BILLS: **IDEN./SIM. BILLS:** SB 2460

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Children's Services (Sub)	7 Y, 0 N	Walsh	Liem
2) Future of Florida's Families	13 Y, 0 N w/CS	Walsh	Liem
3) Human Services Appropriations (Sub)			
4) Appropriations			
5)			

SUMMARY ANALYSIS

Committee Substitute for HB 1325 amends s. 409.1451, F.S., relating to independent living transition services, to require that each Department of Children and Families (DCF) district identify adolescent foster children with developmental disabilities or special mental health needs and work with them in order to assist with the transition to self-sufficiency.

The CS expands eligibility requirements for participation in independent living transition services, life skills activities, the Road to Independence Scholarship program, and transitional support services, and authorizes Medicaid coverage to persons eligible for transitional support services through age 23.

The CS provides for an effective date of October 1, 2003.

DCF estimates an annual fiscal impact from this bill of \$5.4 million.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h1325a.fff.doc

DATE: April 17, 2003

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|---|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |

For any principle that received a “no” above, please explain:

B. EFFECT OF PROPOSED CHANGES:

Section 409.1451, F.S, provides a framework for the DCF to administer an independent living program for older children in foster care and young adults who exit foster care at age 18 make the transition to self-sufficiency. The current components of the law are: pre-independent-living services for ages 13 to 15; life skills services for ages 15 to 18; subsidized independent living services for ages 16 and 17; and aftercare support services, Road to Independence Scholarship and transitional support services for ages 18 to 23.

Public Law 106-169, the Foster Care Independence Act of 1999, provides flexible funding to states to design and conduct independent living programs. This federal program allows states to determine the minimum age for program participation and funding and sets the maximum age for funding at 21. The program also limits the use of federal funds for room and board to young adults 18 to 21 years of age. State funds must be used for services for young adults ages 21 and 22.

The CS provides the following revisions to s. 409.1451, F.S.

Children with developmental disabilities or special mental health needs. The CS requires that DCF identify adolescent foster children with developmental disabilities or special mental health needs and work with them in order to assist with the transition to self-sufficiency. It also requires that DCF assist these youth with accessing support and funding from other sources, and coordinate the independent living plan with the child’s individualized education plan if one exists. DCF is directed to give special attention to 17-year old foster children in residential treatment facilities, therapeutic foster homes, or other mental health settings.

Eligibility for young adults formerly in foster care. The CS amends the overall eligibility criteria for young adults set forth in s. 409.1451(2)(a), F. S. It expands eligibility for all independent living transition services to former foster youth 18 to 23 who are in high school as special education students or in a high school equivalency or adult education program.

The CS amends the eligibility criteria for participation in life skills activities to include former foster youth with disabilities.

The CS expands the pool of eligible young adults for the Road to Independence Scholarship. Currently, a young adult formerly in foster care must be approved for his/her initial award prior to age 21. The CS provides for eligibility for children who exit foster care within 6 months of his/her 18th birthday rather than for those who exit foster care on his/her 18th birthday. The revisions clarifying scholarship eligibility for those young adults attending special education or adult education programs do not impact the pool of eligible students. The language clarifies the meaning of the existing statutory language regarding special education or adult education programs.

In addition, the CS allows adults who are eligible for the Road to Independence Scholarship to choose to remain in foster care in lieu of taking the scholarship award. This group of adults would be entitled to receive the services of DCF's children's foster care program for as long as they qualify for the scholarship.

Young Adults Receiving Transitional Support Services Eligible for Medicaid: The CS expands eligibility criteria for transitional support services to children who are in foster care within 6 months of their 18th birthday. Currently, the law requires that a child be in foster care on his/her 18th birthday. The CS provides that, based on the availability of funds, young adults age 18 up to age 23 who receive transitional support services are eligible for Medicaid benefits. There is no federal authority to provide Medicaid benefits for 21 or 22 year old adults formerly in foster care.

C. SECTION DIRECTORY:

Section 1: Amends s. 409.1451, F.S., relating to independent living transition services; requires each DCF district identify adolescent foster children with developmental disabilities or special mental health needs; requires that DCF work with these youth; expands eligibility requirements for participation in independent living transition services, life skills activities, the Road to Independence Scholarship program, and transitional support services; allows young adult who is eligible for Road to Independence Scholarship program to choose to remain in foster care in lieu of the scholarship award; authorizes eligibility for Medicaid coverage to persons eligible for transitional support services through age 23 based on the availability of funds.

Section 2: Provides for an effective date of October 1, 2003.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

DCF estimates an annual fiscal impact from this CS of \$5.4 million. Please see "Fiscal Comments" below.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

DCF advises as follows:

Curriculum development costs [for the specialized caseworkers required to counsel adolescent foster children with developmental disabilities or special mental health needs] are based on \$1000 per hour to develop training. Between July 1, 2002 and the present, 2243 children in foster care were identified as having developmental disabilities or special mental health needs. An estimated 14 training sessions will be required statewide at a cost of \$1000 per day of training equals \$14,000. Total - \$20,000. The CS deletes the language specifically requiring assignment of specially trained caseworkers. However, the CS continues to require special service delivery which would likely result in these costs.

The increase in Road to Independence Scholarships is based on the increase in age for initial scholarship award from age 21 to 23. There are approximately 668 young adults formerly in foster care age 21 or 22. Of this number, an estimated 22% of these young adults would actually qualify for and be awarded the scholarship prior to age 21. That would mean the total of 21 and 22 year olds awarded the scholarship prior to age 21 is 147. This leaves a total of 521 young adults who would be potentially eligible to apply for the scholarship at age 21 or 22 that would not have been able to apply for the scholarship according to the current statute. Of the 521, estimating that 22% would qualify for the scholarship at age 21 or 22, a total number of 114 new scholarship recipients would remain. This number was multiplied by the amount of the scholarship award of \$892 per month and then multiplied by 12 months for a total cost of \$1,220,256.

The increase in Road to Independence Scholarships and Transitional Support Services is based on a report that was run from the HomeSafenet system which identified 196 children between the ages of 17½ and 18 who exited care between July 1, 2002 and the present. Again, using the estimation of 22% of these children who would actually qualify for the scholarship there would be an additional 43 scholarship recipients. This number was multiplied by the amount of the award (\$892 per month) and then multiplied by 12 months for a total of \$460,272. The remaining 153 would be potentially eligible for Transitional Support Services, which has a limit of \$5000 per year in financial assistance. If each of those 153 who are potentially eligible used \$2500 per year in financial assistance the total would be \$382,500. The total additional cost for Road to Independence Scholarships and Transitional Support Services would be \$842,772.¹

In addition, DCF advises² that, assuming the availability of funds, the costs associated with the CS-required expansion of Medicaid eligibility are based on an estimated number of young adults formerly in foster care who would be potentially eligible for this benefit. The estimated number potentially eligible is 1,390 young adults multiplied by \$200 per month cost multiplied by 12 months. The \$200 per month cost for Medicaid was provided by AHCA. Total \$3,336,00.

DCF cannot determine an estimate of the costs associated with providing participation in life skills activities to former foster youth with disabilities.

DCF cannot determine an estimate of the costs associated with serving adults who are eligible for the Road to Independence Scholarship who choose to remain in foster care in lieu of taking the scholarship award. This group of adults would be entitled to receive the services of DCF's children's foster care program for as long as they qualify for the scholarship.

¹ Department of Children and Families Fiscal Note HB 1325, April 15, 2003.

² Telephone conversation with Gay Frizzell, DCF Family Safety Program Office, April 21, 2003.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On April 14, 2003, the Subcommittee on Children's Services adopted HB 1325 with six amendments.

On April 14, 2003, the Committee on the Future of Florida's Families adopted as a Committee Substitute HB 1325 with the same six amendments. The amendments made the following changes to the bill as filed:

- Removed the requirements that DCF assign a specially-trained counselor to work with each identified child
- Expanded eligibility for all independent living transition services to former foster youth 18 to 23 who are in high school as special education students or in a high school equivalency or adult education program
- Added former foster youth with disabilities to those eligible for participation in life skills activities
- Removed existing language requiring transfer to the Road to Independence Scholarship Program by a date certain and allowed young adults who are eligible for the Road to Independence Scholarship program to choose to remain in foster care in lieu of the scholarship award
- Added "based on availability of funds" to proposed language expanding Medicaid coverage
- Changed the effective date to October 1, 2003.

This analysis is drafted to the Committee Substitute.