

Date of Hearing: April 8, 2025

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 1314 (Ahrens) – As Amended March 10, 2025

SUBJECT: Transitional housing placement providers

SUMMARY: Requires all counties and program contracts for transitional housing placement (THP) providers to follow, and not have requirements that are more stringent than, the requirements in state statute and regulations.

EXISTING LAW:

- 1) Defines a “transitional housing placement provider” to mean an organization licensed by the California Department of Social Services (CDSS) pursuant to 2) below, to provide supervised transitional housing services to foster children who are at least 16 years of age. Requires a THP provider to be privately operated and organized on a nonprofit basis. Requires, before licensure, a provider to obtain certification from the applicable county. (Welfare and Institutions Code [WIC] § 11400(r))
- 2) Establishes the licensing and operational requirements for THP providers to include eligibility requirements, housing models, and staffing ratios. (Health and Safety Code [HSC] § 1559.110 *et seq.*)
- 3) Requires CDSS to license THP providers that provide supervised transitional housing services to foster children who are at least 16 years of age pursuant to 2) above. (WIC § 16522(a))
- 4) Provides that THP-Plus providers, as defined in 5) below, shall not be subject to licensure if they are certified to provide transitional housing by the applicable county and have obtained a local fire clearance. (WIC § 16522(b))
- 5) Defines “Transitional Housing Program-Plus” to mean a provider certified by the applicable county to provide transitional housing services to former foster youth who have exited the foster care system on or after their 18th birthday. (WIC § 11400(s))
- 6) Requires an applicant, in order to be licensed as a THP provider and be eligible for payment of Aid to Families of Dependent Children-Foster Care benefits, to obtain certification from the applicable county specifying whether the facility will serve foster youth between 16 and 18 years of age, nonminor dependents (NMDs), or both. (WIC § 16522.1)
- 7) Defines “nonminor dependent” as a current or former foster youth who is between 18 and 21 years of age, in foster care under the responsibility of the county welfare department, county probation department, or Indian tribe, and participating in a transitional independent living plan (TILP). (WIC § 11400(v))
- 8) Defines “THP-NMD” as a transitional housing program serving NMDs between 18 and 21 years of age. (WIC § 16522.1(a)(2))

- 9) Requires CDSS to establish certification standards and procedures for the THP-NMD program. (WIC § 16522(c))
- 10) Defines “transitional housing units” as including any of the following: a host family certified by a THP provider with whom a participant lives in an apartment, single-family dwelling, or condominium owned, rented, or leased by the host family; a staffed site in which a participant lives in an apartment, single-family dwelling, or condominium owned, rented, or leased by a THP provider either with an adult employee of the provider who provides supervision or in a building in which one or more adult employees of the provider reside and provide supervision; and, a remote site in which a participant lives independently in an apartment, single-family dwelling, or condominium owned, rented, or leased by a THP provider under the supervision of the provider if CDSS provides approval. (HSC § 1559.110(d))
- 11) Requires CDSS to adopt regulations to govern licensed THP providers and sets forth minimum provisions to be included. Requires the regulations to be age appropriate and recognize that NMDs who are about to exit from the foster care system should be subject to fewer restrictions than those who are foster children. Sets forth the minimum requirements the regulations shall provide. (HSC § 1559.110 (g))
- 12) Sets forth the requirements for THP providers. (22 California Code of Regulations (CCR) § 86000)

FISCAL EFFECT: Unknown, this bill has not been analyzed by a fiscal committee.

COMMENTS:

Background: *Child Welfare Services (CWS) System.* The goal of California’s CWS system is ultimately to protect children from abuse and neglect, and provide for their health, safety, and overall well-being. When a child is identified as being at risk of abuse or neglect, county juvenile courts hold legal jurisdiction and the CWS system appoints a social worker in order to ensure the needs of the child are met. Through the CWS system, multiple opportunities arise for the judicial system to evaluate, review, and determine the custody of the child, or determine the best out-of-home placement for the youth. Together, the judicial system and the child’s social worker ensure that the best possible services are provided to the child. The CWS system, when appropriate, also works to reunite children who have been removed from the custody of their parents or guardians with individuals they consider to be family in order to maintain familial bonds wherever possible. As of October 1, 2024, there are 409,165 youth up to 20 years of age placed in California’s child welfare system.

Extended Foster Care. In 2010, AB 12 (Beall), Chapter 559, Statutes of 2010, extended foster care benefits for certain eligible youth until 21 years of age. Prior to the expansion of foster care benefits, youth “aged out” of the CWS system at 18 years of age and were required to navigate the challenges of young adulthood, including obtaining education, stable housing, and employment, without the support of the CWS system. In recognition of the difficulties faced by these youth, extended foster care provides eligible youth between 18 and 21 years of age, known as NMDs, with the services and supports they need to experience independent living in supervised living environments. Extended foster care also enables youth to obtain educational and employment training to better prepare them to transition to adulthood and self-sufficiency

Transitional Housing Placement Programs. The THP Program is a type of foster care placement, licensed by CDSS, that requires applicants to obtain certification from the county specifying whether the facility will service foster youth between 16 and 18 years of age as a transitional placement program for minors (THP-M), foster youth between 18 and 21 years of age as a THP-NMD, or both.

According to CDSS, the goal of a THP program is to help participants emancipate successfully by providing a safe environment for youth while learning skills that can promote self-sufficiency. The THP Program also provides supportive services such as educational guidance, employment counseling, and assistance in reaching emancipation goals, as defined by the youth.

The THP-M program, is a type of THP program for foster youth, between 16 and 18 years of age. The program provides supervised transitional housing and supportive services based on the youth's TILP. The TILP is developed by the youth with their social worker and details goals and objectives to achieve while working toward self-sufficiency. Participants are allowed to live alone, with CDSS approval, or with roommates in apartments or single-family dwellings, where a staff member from the housing provider lives on-site to provide supervision and assistance.

The THP-M program does not meet the federal Title IV-E and state foster care definition for federal reimbursements under the federal Family First Prevention Act, which became law in 2018. This means that if counties choose to place a minor in this type of placement setting, they are required to use county funds to cover the cost.

The THP-NMD program, formerly known as THP+FC, was established by AB 12 and is a supervised, supportive housing program for young adults between 18 and 21 years of age who are in California's extended foster care program. This program helps NMDs transition from foster care to independent living by providing safe housing, case management, and life skills development. NMDs have the right to voluntarily remain in (or re-enter) foster care, live in approved housing options (e.g., THP-NMD), and receive support to develop life skills and self-sufficiency.

THP-NMD provides three types of supervised housing:

- *Single-Site Housing*, which can be apartments or dorm-style housing where multiple NMDs live in the same building with onsite support staff;
- *Scattered-Site Housing*, which are individual apartments or shared housing located throughout the community, with regular case management visits; and,
- *The Host Family Model* where NMDs live with an adult mentor (host family) who provides support and guidance while maintaining independence.

THP-NMD participants receive case management, supervision, and intensive support services. The goal of supportive services is to assist the NMD in obtaining the skills needed to transition to independent living. This includes assistance with meeting educational goals, obtaining gainful employment, and learning financial management, relationship, and daily living skills.

Once the provider obtains certification, the THP-NMD provider is required to be licensed by their regional Community Care Licensing Division under CDSS. After receiving licensure, the

provider is allowed to contract with a county to provide the program to eligible foster youth. After a provider is certified and licensed, they can apply to the CDSS Foster Care Audits and Rates Bureau to get a rate for foster care payments. The THP-NMD program has statewide rates that vary based on the type of housing model utilized.

Transitional Housing Placement-Plus Programs. The THP-Plus program is a transitional housing program for young adults who exited foster care, including probation-supervised youth, on or after their 18th birthday. This program offers housing and supportive services for 36 cumulative months or until 25 years of age, whichever comes first. The housing models and services offered are similar to those offered in other THP programs, but the rules of the program are designed to be age-appropriate for young adults. CDSS states the goal of THP-Plus is to provide a safe living environment, while helping participants develop the life skills needed to live independently. The NMD is asked to develop a TILP to assist in identifying and detailing the goals and objectives necessary to transition into adulthood.

There are several housing models under the THP-Plus program and providers are permitted to offer the following residential units:

- Apartments;
- Single-family dwellings;
- Condominiums;
- College dormitories; and,
- Host family models.

THP-Plus provides services designed to assist participants in their transition to independence. Some of the services include education assistance, counseling, employment support and training, mental health services, development of daily living skills, obtaining relevant documents such as a birth certificate, social security card, or driver's license.

THP-Plus providers are exempt from licensure provided they have obtained certification from the applicable county and obtained a local fire clearance. THP-Plus was formerly funded 100% by the General Fund, however the state general funds previously allocated for this program were realigned in Fiscal Year 2011-12 to the counties and are now included in each county's local revenue fund.

Current Requirements for THP Providers. CDSS is required to adopt regulations to govern THP providers they license. The regulations are required to be age appropriate and recognize that NMDs who are about to exit from the foster care system should be subject to fewer restrictions than those who are foster children. At a minimum, the regulations are required provide for all of the following:

- Require programs that serve both minor foster children and NMDs to have separate rules and program design, as appropriate, for these two groups of youth;

- Allow NMDs to have the greatest amount of freedom possible in order to prepare them for their transition to adulthood, in accordance with the requirement for regulations to recognize the status of NMDs as legal adults;
- Maintain a program staffing ratio of case manager-to-participant for minor foster children not to exceed one to 12, inclusive;
- Maintain a program staffing ratio for NMDs of case manager-to-participant not to exceed a shared average caseload of one to 12, inclusive, with a designated lead case manager assigned to each youth;
- Allow an NMD participant to share a bedroom or unit in a transitional housing program with any of the following persons:
 - Another participant, including a participant sibling or co-parent, as approved by the provider;
 - A participant in THP-Plus, as approved by the provider;
 - A nonparticipant roommate, sibling, or co-parent, as approved by the provider on a case-by-case basis, as specified by CDSS. Requires a provider to give priority to program participants and for the provider to allow a current program participant residing within a unit to reject inclusion of a nonparticipant into their existing unit.
 - The participant's children; or,
 - Any other person, as specified by CDSS;
- Allow a minor participant to share a bedroom or unit in a transitional housing placement with any of the following persons:
 - Another participant, including a participant sibling or co-parent, as approved by the provider;
 - A participant in THP-Plus, as approved by the provider;
 - The participant's children;
 - A nonparticipant roommate, sibling, or co-parent, as approved by the provider on a case-by-case basis, as specified by CDSS. Requires a provider to give priority to program participants and to allow a current program participant residing within a unit to reject inclusion of a nonparticipant into their existing unit; or,
 - Any other person, as specified by CDSS;
- Requires any adult who is not a participant, including participants in THP-Plus, and who resides with a participant, to obtain a criminal record clearance or exemption;

- Requires all counties and program contracts to allow individual program participants and specified individuals as described above, to share bedrooms, bathrooms, and units together, regardless of gender identity; and,
- Requires county program contracts to allow providers and participants to make best matches to allow for gender flexibility.

Current regulations, updated as of July 1, 2024, outline general requirements that govern the THP program, delineate when a license is required, application procedures, administrative actions, enforcement provisions, continuing requirements, and the physical environment.

This bill would require that all counties and program contracts for THP providers shall follow, and not have requirements that are more stringent than, the requirements described above and specified in Chapter 7 (commencing with Section 86000) of Division 6 of Title 22 of the CCR.

Currently, 19 counties collaborate with THP providers, adhering to CDSS licensing requirements. However, advocates report that some counties impose restrictive contracts that limit housing opportunities for vulnerable youth. They report some contracts can demand that each individual have their room or restrict the sharing of bathrooms, which complicates the situation for young people who may need more flexible living arrangements. In contrast, state licensing allows up to two individuals to share a room and efficiently serves transition-age youth. Further, county contracts can hinder youth transfer across county lines, even if slots are available, limiting access to necessary resources. State licensing regulations allow youth to be served within two hours of a provider's office, allowing more flexibility to seek out vacancies, move closer to family, school, or employment opportunities.

Additionally, advocates report that some contracts require unnecessary social worker inspections of housing units, delaying youth access to housing for weeks and incurring extra costs for providers. At times there are losses of an entire month's rent waiting for a unit to be approved where a youth could make a determination on their own along with the provider whether a unit meets their needs.

Youth Homelessness. In December of 2024, the United States Department of Housing and Urban Development released its Annual Homeless Assessment Report to Congress, which found that, 9,052 people in California experienced homelessness on their own as an “unaccompanied youth.” Unaccompanied youth are defined as people in households without children, who are not a part of a family with children, or accompanied by their parent or guardian during their episode of homelessness and are between 18 and 24 years of age. Additionally, 60% of the homeless youth in California were unsheltered, meaning they are in living situations that include couch surfing, staying in shelters, living under bridges, in abandoned buildings, and on the streets. Foster youth in California experience disproportionately higher rates of homelessness when compared to their non-foster youth peers, with 65% of emancipating youth reporting they lack safe and affordable housing at the time of emancipation.

Author’s Statement: According to the Author, “In California, there are over 60,000 youths in foster care with most of them being children of color. Addressing the housing crisis and rise in homelessness among young people is imperative as losing secure housing at a young age increases the chance of remaining unhoused as an adult by 5 times.”

Equity Implications: Research shows that 31-46% of young people who have experienced foster care become homeless by 26 years of age, highlighting the urgent need to address the housing crisis and its long-term effects on this vulnerable population. Counties that require more restrictive requirements within their contracts tend to have more difficulty maintaining housing options due to the losses related to the additional limits or wait times for approval of units. Due to rapidly rising rental costs and the losses related to waiting on approvals, in some of these counties, available units are decreasing despite the growth in need for housing for this population. The provisions of *this bill* seek to ensure additional barriers to finding housing for foster youth are not created.

RELATED AND PRIOR LEGISLATION:

AB 534 (Schiavo) of the current legislative session, requires contracts for a THP provider or THP-Plus provider to have 10-year terms, grants the county the right to terminate a contract or a portion of the contracted services prior to the end of the contract term by providing at least 90 days' notice to the contractor, and permits the county and contractor to agree to enter into an extension of the contract, either at the time of the initial contract or at any time thereafter.

AB 534 is currently pending before the Assembly Appropriations Committee.

AB 2802 (Maienschein), Chapter 245, Statutes of 2024, required counties, when operating the THP program, to allow providers and participants to make best matches to allow for gender flexibility. Updated the minimum requirements for regulations governing THP providers to allow participants to share units and bedrooms with siblings and co-parents regardless of gender identity.

AB 1979 (Friedman), Chapter 141, Statutes of 2020, expanded the definition of a supervised independent living setting to include a transitional living setting that is approved by the county to support youth who are entering or re-entering care, or who are transitioning between placements. AB 1979 specified that the transitional housing could not include a youth homelessness prevention center or an adult homeless shelter in order to ensure that the housing provided to youth is stable and not temporary.

AB 531 (Friedman) of 2019, would have allowed certain approved caregivers of youth in extended foster care to convert to a host family without additional certification, would have required counties to examine their ability to meet the emergency housing needs of NMDs, and would have allowed counties, upon appropriation, to request funds for the purpose of providing housing navigation services to youth. *AB 531 was held on the Senate Appropriations Committee suspense file.*

AB 612 (Mitchell), Chapter 731, Statutes of 2017, made a number of changes to the program rules and educational requirements for THP 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 18 years of age, if they are NMDs, and added THP-NMD Foster Care to the list of programs licensed by CDSS.

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

REGISTERED SUPPORT / OPPOSITION:

Support

California Alliance of Child and Family Services (Co-Sponsor)
Good River Partners (Co-Sponsor)
Aspiranet
California Alliance of Caregivers
California Tribal Families Coalition
First Place for Youth
Florence Crittenton Services of Orange County, INC.
Helpline Youth Counseling, INC.
Hillsides Pasadena
John Burton Advocates for Youth
Mary's Path
Sycamores

Opposition

None on file.

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