

Date of Hearing: April 7, 2021

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Lisa Calderon, Chair

AB 674 (Bennett) – As Amended March 25, 2021

SUBJECT: Dependent children: documents

SUMMARY: Expands the list of information, documents, and services that a county welfare department, at the last review hearing prior to that youth's 18th birthday, must report to the court on its progress in providing to the youth written information notifying the minor or nonminor that they may be eligible to receive, and where they may apply for, CalFresh benefits.

EXISTING LAW:

- 1) Establishes under federal law the "Supplemental Nutrition Assistance Program" (SNAP) pursuant to the Food Stamp Act of 1964 and establishes, in California statute, the CalFresh program to administer the provision of SNAP benefits to families and individuals meeting certain criteria, as specified. (7 United States Code Section 2011 *et seq.*, Welfare and Institutions Code Section [WIC] 18900 *et seq.*)
- 2) States that the purpose of foster care law is to provide maximum safety and protection for children who are currently being physically, sexually, or emotionally abused, neglected, or exploited, and to ensure the safety, protection, and physical and emotional well-being of children who are at risk of harm. (WIC 300.2)
- 3) Provides for extended foster care funding for youth until age 21, as well as adopts other changes to conform to the federal Fostering Connections to Success Act. (WIC 241.1, 303, 366.3, 388, 391, 450, 11400, 11402, 11403)
- 4) Defines "nonminor dependent" (NMD) as a current foster youth or a nonminor under the transition jurisdiction of the court who: is between 18 and 21 years old, turned 18 years old while under an order of foster care placement, is in foster care under the responsibility of the county welfare department, county probation department, or Indian Tribe, and is participating in a transitional independent living plan, as specified. (WIC 11400(v))
- 5) Requires the county welfare department, at the last regularly scheduled review hearing held before a dependent child attains 18 years of age, to submit a report verifying that certain information, documents, and services have been provided to the minor or nonminor, including, but not limited to: social security card; certified copy of the birth certificate; Medi-Cal Benefits Identification Card; and, if applicable, proof of the minor's or nonminor's citizenship or legal residence, among other information, as specified. (WIC 391(b))
- 6) Requires the county welfare department, at the last regularly scheduled review hearing held before a dependent child attains 18 years of age, and at every regularly scheduled review hearing thereafter, to submit a report describing efforts toward providing certain information, documents, and services to the minor or nonminor, including, but not limited to: assistance in obtaining employment, if applicable; assistance in applying for, or preparing to apply for, admission to college or to a vocational training program or other educational institution and in obtaining financial aid, where applicable; and, written information notifying the child that

youth exiting foster care at 18 years of age or older are eligible for Medi-Cal until they reach 26 years of age, regardless of income, and are not required to submit an application, among other information, as specified. (WIC 391(c))

- 7) Requires, during the 90-day period prior to a foster youth attaining 18 years of age or older, a caseworker or other appropriate agency staff or probation officer and other representatives of the participant, as appropriate, to provide the youth or NMD with assistance and support in developing the written 90-day transition plan, that is personalized at the direction of the child, information as detailed as the participant elects, that shall include, but not be limited to, options regarding housing, health insurance, local opportunities for mentors and continuing support services, and workforce supports and employment services, among others, as specified. (WIC 16501.1(g)(16)(B))
- 8) Requires each county welfare department to inform each applicant of the availability of expedited service and assistance in completing the CalFresh application and, upon request of the applicant, may assist in filling out forms and completing the application process for expedited service. (WIC 18912)

FISCAL EFFECT: Unknown

COMMENTS:

Child welfare services system: The goal of California's Child Welfare Services (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, the juvenile court holds legal jurisdiction and the CWS system appoints a social worker 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 work to 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. Current law requires the court to periodically review the youth's case to ensure their needs are being met; as a part of this review process, social workers are required to submit reports to the court detailing the services and supports that have been provided to the youth, such as employment assistance and information related to health care and education, among other information. As of October 1, 2020, there were 60,045 youth 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 the age of 21. Prior to the expansion of foster care benefits, youth "aged out" of the CWS system at 18 years old 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 the ages of 18 and 21, 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.

In order to be eligible for extended foster care, youth must meet a number of criteria, including the requirement that a youth be in foster care under the responsibility of the county welfare or probation department on their 18th birthday, as well as meet the goals of a Transitional Independent Living Case Plan (TILCP), which describes the goals and objectives of how the NMD will make progress in the transition to living independently and will ultimately assume responsibility for themselves as an independent adult. The TILCP includes a transitional independent living plan (TILP) that ensures the youth is actively and meaningfully participating in one or more of the five criteria that must be met in order to participate in extended foster care, as well as the NMD's supervised placement setting, and the youth's permanent plan for transitioning to independent living.

Some youth choose to participate in extended foster care immediately following their 18th birthday, while others leave the foster care system after attaining 18 years of age, but choose to reenter care at some point before their 21st birthday under what is called a "voluntary reentry agreement." A voluntary reentry agreement is a written agreement between the youth and the county welfare or probation department, or a tribal placing entity, that documents the youth's desire and willingness to reenter foster care and be placed in a supervised setting under the placement and care responsibility of the placing agency, among other requirements.

CalFresh: SNAP is known as CalFresh in California, and provides food access to low-income individuals who meet certain eligibility criteria. CalFresh benefits are entirely federally funded, and administration at the federal level lies with the United States Department of Agriculture (USDA). The USDA is tasked with setting specific eligibility requirements for SNAP programs across the country, as well as gross and net income tests, work requirements, and other documentation requirements. In California, CalFresh is administered at the local level by county human services agencies, with federal, state, and county governments sharing the costs of program administration. Benefits are made available to recipients on an electronic benefits card (EBT) card, which is an automated teller machine (ATM)-like card that allows an individual to purchase food at point-of-sale devices in stores. Nearly 4 million individuals in California receive CalFresh benefits; the maximum grant amount for a household size of one is \$204 as of October 1, 2020, and in December 2020, the average household grant was \$222 per month.

Foster youth and CalFresh: The CalYOUTH study, which is administered by Chapin Hall at the University of Chicago, and is conducted in collaboration with CDSS and the County Welfare Directors Association of California, evaluates the impacts of extended foster care on foster youth transitioning to adulthood. The 2020 CalYOUTH study found that more than half of the youth surveyed (718 young people) reported that they had ever received CalFresh benefits. Of these youth, nearly 58% reported currently receiving CalFresh benefits, and 32.1% of all CalYOUTH participants were currently receiving CalFresh. Over two-fifths of youth who had ever received CalFresh reported receiving assistance for more than six months during the previous year, and the average monthly grant received was about \$253.

Need for this bill: The provisions of this bill seek to increase older foster youth enrollment in CalFresh by ensuring youth are informed about their potential eligibility for CalFresh benefits. Specifically, the provisions of this bill expand the existing list of information, documents, and services that a county welfare department must report to the court its progress in providing to the youth to include written information notifying the minor or nonminor that they may be eligible to receive, and where they may apply for, CalFresh benefits.

According to the author, “Young people exiting the foster care system are already at a significant disadvantage to their peers. Their housing, education, and job situations can be very unstable. In situations like this, food insecurity is often overlooked, but is of significant importance. We know that only 33% of foster youth have ever accessed CalFresh benefits. These young people have foregone bill payments, skipped meals, or rely on food banks to receive their daily meals simply because they are either unaware of CalFresh benefits or think their foster care payment and/or income will make them ineligible for CalFresh. We must address this inequity. [This bill] seeks to increase foster youth enrollment into CalFresh by providing vital information regarding benefits to transitional-aged youth as they are exiting out of California’s foster care system. No young person should go hungry simply due to a lack of information.”

Double referral: This bill will be referred to the Assembly Judiciary Committee should it pass out of this committee.

PRIOR AND RELATED LEGISLATION:

AB 3238 (Smith) of 2020, would have required CDSS to establish a pilot program in up to five counties to appoint at least one CalFresh eligibility liaison to increase CalFresh enrollment among older foster youth aging out of the child welfare system. AB 3238 was held in the Assembly Appropriations Committee.

AB 1229 (Wicks) of 2019, would have required CDSS to issue guidance to county human services departments to increase CalFresh application and participation rates of exiting foster youth and would have required the California Student Aid Commission to determine how much funding authority is necessary to establish a Transition Age Foster Youth Meal Plan Program. AB 1229 was held in the Senate Appropriations Committee.

AB 718 (Eggman), Chapter 438, Statutes of 2019, required county welfare departments to submit a report verifying to the juvenile dependency court that the county has provided specific information, documents, and services to foster youth in the child welfare system, as specified.

AB 212 (Beall), Chapter 459, Statutes of 2011, made various clarifying and substantive changes to the California Fostering Connections to Success Act in order to ensure proper implementation by adopting, among other changes, an expansion of the documents required to be provided prior to a court terminating jurisdiction over a dependent to include an advance health care directive form, the judicial counsel form that a youth would use to resume dependency under extended foster care, and the federally required 90-day transition plan.

AB 12 (Beall), Chapter 559, Statutes of 2010, the California Fostering Connections to Success Act, allowed for dependent youth to participate in extended foster care by providing an option for continued jurisdiction of federally-eligible NMDs or former dependents of the juvenile court who are between the ages of 18 and 21.

AB 2310 (Maze and Bass), Chapter 131, Statutes of 2008, required the county welfare department to provide additional information and documents to a person in the foster care system who has reached the age of majority before the juvenile court terminates jurisdiction over that individual.

REGISTERED SUPPORT / OPPOSITION:

Support

Alliance for Children's Rights
California Catholic Conference
County of Ventura
County Welfare Directors Association of California (CWDA)
SEIU California

Opposition

None on file

Analysis Prepared by: Kelsy Castillo / HUM. S. / (916) 319-2089