

Date of Hearing: April 9, 2019

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Eloise Gómez Reyes, Chair

AB 995 (Ting) – As Introduced February 21, 2019

SUBJECT: Transitional Housing Program-Plus

SUMMARY: Expands eligibility for Transitional Housing Program-Plus (THPP) to youth who exited foster care on or after their 16th birthday, requires the California Department of Social Services (CDSS) to, upon appropriation, annually allocate funding to counties for purposes of expanding their existing THPP, and requires counties to enter into memoranda of understanding (MOU) with local Continuums of Care (CoCs) to foster collaboration and communication as a condition of receiving THPP expansion funds. Specifically, **this bill:**

- 1) Expands eligibility for THPP by permitting former foster youth to access transitional housing services, as specified, if they exited foster care after their 16th birthday, versus after their 18th birthday as is current law.
- 2) States Legislative intent to appropriate \$5 million annually to CDSS for purposes of implementing provisions of this bill requiring an expansion of existing THPP.
- 3) Requires CDSS, beginning in fiscal year 2019-20 and subject to an appropriation by the Legislature, to annually allocate funding to counties to expand their existing THPP to address the unmet housing and service needs of former foster youth, as specified.
- 4) Requires the funds provided pursuant to the provisions of this bill for expansion of THPP to be allocated based on a statewide analysis of unmet need using existing data sources.
- 5) Defines “continuum of care” (CoC) as a group organized to serve homeless and formerly homeless veterans, and homeless and formerly homeless persons to the extent these groups are represented within the geographic area and are available to participate, as defined in current federal law.
- 6) Defines “coordinated entry system (CES)” as a centralized or coordinated assessment system developed pursuant to current federal law.
- 7) Requires counties, in order to receive THPP expansion funds, to enter into an MOU with the local CoC to foster communication and collaboration, and, further, requires the MOU to include, but not be limited to, all of the following:
 - a) A process by which youth who come through the CES are screened for eligibility for extended foster care and THPP;
 - b) A process by which youth exiting THPP and who are in need of ongoing housing support are referred to their local CoC or a local provider authorized to conduct assessments for the CES; and,
 - c) The specification of regular intervals of communication between the county and the CoC.

- 8) Specifies that funding received by a county pursuant to the provisions of this bill shall supplement, and not supplant, a county's existing THPP services, as specified.
- 9) Makes technical and conforming changes.

EXISTING LAW:

- 1) Establishes a state and local system of child welfare services, including foster care, for children who have been adjudged by the court to be at risk or have been abused or neglected, as specified. (Welfare and Institutions Code [WIC] Section 202)
- 2) 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)
- 3) Defines "nonminor dependent" as a current or former foster youth who is between 18 and 21 years old, 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, as specified. (WIC 11400 (v))
- 4) Defines "Transitional Housing Program-Plus" as a provider certified by the applicable county, as specified, 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))
- 5) Requires CDSS, no later than July 31, 2013, to establish certification standards and procedures for the Transitional Housing Placement program for nonminor dependents, in consultation with various stakeholders, as specified. (WIC 16522 (c))
- 6) Deems certain youth as eligible for transitional housing, including a former foster youth at least 18 years of age and not more than 24 years of age who has exited from the foster care system on or after their 18th birthday and elects to participate in THPP if they have not received certain services for more than a total of 24 months, as specified. (WIC 11403.2 (a)(2))
- 7) Requires a THPP that provides transitional housing services to eligible former foster youth who have exited from the foster care system on or after their 18th birthday be paid a monthly rate that is 70% of the average foster care expenditures for foster youth 16 to 18 years of age, inclusive, in group home care in the county in which the program operates. (WIC 11403 (a)(1)(A))
- 8) Defines "Continuum of Care" as the group organized to carry out certain responsibilities, as specified, and that is composed of representatives of organizations, including nonprofit homeless providers, victim service providers, and faith-based organizations, among others, that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons to the extent these groups are represented within the geographic area and are available to participate. (24 Code of Federal Regulations [CFR] 578.3)
- 9) Requires a CoC to, in consultation with recipients of Emergency Solutions Grants program funds within the geographic area, established and operate either a centralized or coordinated

assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services. (24 CFR 578.7 (a)(8))

FISCAL EFFECT: Unknown

COMMENTS:

Child welfare services: California's Child Welfare Services (CWS) system exists to protect children from abuse and neglect, and in doing so, provides for their health, safety, and overall well-being. When suspicions of abuse or neglect arise, often as a result of a report by a mandated reporter like a doctor or teacher, Child Protective Services is tasked with investigating the report. If the allegation of abuse or neglect is substantiated, it is then determined whether it is in the best interest of the child to remain in their parent's custody or be placed within the CWS system. If a child is suspected to be at risk of neglect, abuse, or abandonment, the juvenile court holds legal jurisdiction, and the CWS system appoints a social worker to ensure that the needs of a youth are met. As of October 2018, there were 59,487 youth between the ages of 0 and 21 placed in California's CWS system.

Extended foster care: AB 12 (Beall), Chapter 559, Statutes of 2010, known as the California Fostering Connections to Success Act, was signed by Governor Schwarzenegger in September 2010 and extended foster care benefits for eligible youth (referred to as nonminor dependents, or NMDs) aging out of the CWS system. Prior to the passage of AB 12, youth aged out of the foster care system at 18-years-old and were instead 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, AB 12 provided services and supports to transition-age youth until they reach 21 years of age and afforded these youth the opportunity to experience independent living in supervised living environments and the ability to obtain educational and employment training to better prepare them to transition into adulthood and self-sufficiency.

At the six month hearing prior to a youth turning 18 years old, the youth's social worker or probation officer must have a plan to ensure that the youth will meet at least one of the following participation criteria:

- a) Be enrolled in a high school or equivalent program;
- b) Be enrolled in a college, community college, or vocational program;
- c) Be employed at least 80 hours a month;
- d) Participate in a program or activity designed to remove barriers to employment; or,
- e) Be unable to do one of the above requirements due to a medical condition.

NMDs must also sign an agreement 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 the goals of their transitional living plan.

Youth homelessness: The 2018 Point in Time (PIT) count conducted by the U.S. Department of Housing and Urban Development (HUD) found that on a single night in January 2018, there

were approximately 36,391 unaccompanied youth experiencing homelessness under the age of 25, with one-third of all unaccompanied youth (12,396 individuals) living in California. For youth, homelessness can mean living in cars, shelters, or couch surfing with friends; due to an increased susceptibility to exploitation and violence, youth experiencing homelessness may develop substance use issues or engage in survival sex in exchange for shelter or food.

Youth who age out of the foster care system are at high risk of becoming homeless; a 2013 study published in the Journal of Public Health found that between 31% and 46% of former foster youth had been homeless at least once by age 26. According to the study, the odds of becoming homeless by age 19 were higher for youth who had been physically abused before entering foster care, had run away more than once while in foster care, had engaged in delinquent behaviors, were placed in a group care setting at baseline, and did not feel very close to a biological parent or grandparent.

Addressing homelessness at the local level: The COC Program was designed and is overseen by HUD to provide funding to nonprofit providers and local governments in order to quickly rehouse individuals and families experiencing homelessness. The program seeks to minimize trauma, promote access to services and supports, and eventually enable individuals experiencing homelessness to move towards self-sufficiency and permanent, stable housing. CoCs are required to be comprised of representatives of organizations throughout the community, such as businesses, advocates, public housing, hospitals, social services providers, law enforcement, and affordable housing developers, among others. By bringing together the unique experiences and perspectives of these various agencies, a CoC is able to collaborate to best serve the needs of individuals experiencing homelessness. Tools used by CoCs to address homelessness include the Homeless Management Information System (HMIS), which allows a CoC to collect, store, and report certain information about clients, including the provision of housing and services to individuals and families experiencing homelessness, and CES, which is essentially a network of supportive services developed to ensure individuals experiencing homelessness are quickly assessed for, and referred and connected to, housing needs and supports.

Housing supports specifically for foster-involved youth: To provide for the housing needs of current and former foster youth, California provides several housing programs. The THPP provides safe living environments to foster youth who are at least 16-years old, but not more than 18-years old, while Transitional Housing Placement Program + Foster Care (THP+FC) provides NMDs with certain placement options based on a Transitional Independent Living Plan (TILP).

For former foster youth who are between the ages of 18 and 24, California offers the THPP, which provides youth with up to 24 months of supportive housing while receiving a wide range of supportive services, including job training, educational supports, and counseling. THPP participants are required to be actively pursuing the requirements of their TILP, report any changes in the conditions outlined in the TILP (e.g. a change in address or living arrangement), and, for some youth, must be completing secondary education or be enrolled in a postsecondary institution. Like other programs, acceptable housing for THPP includes residential units such as apartments, condominiums, and college dormitories, and does not include shelters and temporary accommodations with friends or family members.

According to the THP+FC and THP-Plus Annual Report issued by the John Burton Advocates for Youth in October 2018, as of June 30, 2018, there were 1,946 youth served by THPP, which is a 15% increase since Fiscal Year (FY) 2015-16. Since FY 2015-16, three additional counties,

including Alameda, San Diego, and San Mateo began operating THPP such that as of FY 2017-18, 47 counties operated at least one THPP program. The report also indicated that spending on THPP has increased by 11% (\$2.7 million) from \$25.6 million in FY 2014-15 to \$28.3 million in FY 2016-17. In FY 2017-18, 64% of participants were female, 36% were male, and 93% of participants were between 21- and 24-years-old.

Need for this bill: Current law requires a youth to have exited foster care on or after their 18th birthday in order to qualify for THPP; the provisions of this bill would expand eligibility for THPP to youth who exited foster care on or after their 16th birthday, thereby capturing certain youth who, for various reasons, exited the foster care system prior to turning 18. It should also be noted that THPP is an entirely state-funded program, meaning eligibility criteria are determined entirely by the state, whereas eligibility for extended foster care, and therefore access to THP+FC, is determined by federal law, which requires a youth to be in foster care on their 18th birthday. The provisions of this bill seek to exercise the state's flexibility in determining eligibility criteria for participation in THPP in order to ensure more youth are eligible to receive the services and supports provided through the supportive housing program.

According to the author, "Nearly 40% of former foster youth will become homeless. To address this vulnerability, in 2011, the California State Legislature created THPP – the state's only housing program for youth transitioning out of foster care. [This bill] will reduce homelessness among former foster youth by building on THPP's success – increasing access to this vital program."

RELATED AND PRIOR LEGISLATION:

AB 531 (Friedman) of 2019 allows certain approved caregivers to convert to a host family without additional certification, requires counties to examine a county's ability to meet the emergency housing needs of nonminor dependents, and allows a county welfare agency to, upon appropriation in the annual Budget Act, request funds for the purpose of providing housing navigation services to youth, among other things. AB 531 is currently awaiting hearing in the Assembly Appropriations Committee.

AB 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 1252 (Torres), Chapter 774, Statutes of 2014, authorized a county to choose to extend THP-Plus to former foster youth not more than 25 years of age and for a total of 36 cumulative months if the former foster youth is completing secondary education or is enrolled in an institution that provides postsecondary education.

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 the ages of 18 and 21.

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.

REGISTERED SUPPORT / OPPOSITION:**Support**

Advanced Consulting, LLC
Alameda County Office of Education
Alliance for Children's Rights
Alternative Family Services
Aspiranet
Association of Community Human Service Agencies
Berkeley City College
Bill Wilson Center
Boys Republic
Bridge of Faith
Butte College Inspiring Scholars Program
California Alliance of Child and Family Services
California Catholic Conference
Casa de Amparo
Cerritos College
Children Now
Children's Law Center of California
Children's Legal Services of San Diego
County of Butte
County of Humboldt
Covenant Community Services
CSU Bakersfield's Guardian Scholars Program
CSU Chico PATH Scholars Program
Cuyamaca College
David & Margaret Youth and Family Services
Encompass Community Services
Environmental Alternatives
First Place for Youth
Foster Care Counts
Fred Finch Youth Center
iFOSTER
Imperial Valley Regional Occupational Program
Jovenes
Larkin Street Youth Services
Los Angeles Child Guidance Clinic
LSS of Northern California
Maryvale
Mission College
Moreno Valley College
New Alternatives
Olive Crest
On Their Own Transitional Housing
Orange Coast College
Prosperity Way
Redwood Community Action Agency - Youth Services Bureau

Reedley College
Riverside City College
Riverside Community College District
San Joaquin County Independent Living Program
Side By Side
Sonoma County Human Services Department
St. Anne's
Stanislaus County Community Services Agency
Star Vista
The Village Family Services
Uplift Family Services
Victor Valley College
Volunteers of America
Walden Family Services
Whole Person Learning
YMCA of San Diego County, Youth and Family Services
Youth for Change
Youth Services Network
Two private citizens

Opposition

None on file

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