

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
SENATE BILL 23

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

AN ACT

RELATING TO YOUTH; ENACTING THE FOSTERING CONNECTIONS ACT AND
AMENDING SECTIONS OF THE CHILDREN'S CODE AND THE ABUSE AND
NEGLECT ACT TO PROVIDE FOR SERVICES FOR ELIGIBLE ADULTS IN
TRANSITION FROM FOSTER CARE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Children's Code is
enacted to read:

"[NEW MATERIAL] SHORT TITLE.--Sections 1 through 10 of
this act may be cited as the "Fostering Connections Act"."

SECTION 2. A new section of the Children's Code is
enacted to read:

"[NEW MATERIAL] DEFINITIONS.--As used in the Fostering
Connections Act:

A. "eligible adult" means an individual who meets

1 the eligibility criteria for participation in the fostering
2 connections program;

3 B. "foster care maintenance payment" means a
4 payment for the care and support of an eligible adult, which
5 payment rate is established through legislative appropriation
6 and is based on the age and needs of the eligible adult;

7 C. "host home" means a setting in an eligible
8 adult's former foster home or in another residence in which an
9 eligible adult:

10 (1) shares a residence with another adult or
11 adults; and

12 (2) agrees to meet the basic expectations
13 established by the:

14 (a) eligible adult;

15 (b) other adult or adults sharing the
16 residence; and

17 (c) department;

18 D. "supervised independent living setting" means an
19 age-appropriate setting that the department approves for
20 placement of an eligible adult, which setting:

21 (1) conforms to federal requirements for
22 supervised independent living settings; and

23 (2) may be a single or shared residence,
24 including:

25 (a) a host home;

1 (b) a college dormitory or other post-
2 secondary education or training housing; or

3 (c) the home of a parent of the eligible
4 adult;

5 E. "transition plan" means a written,
6 individualized plan developed collaboratively between the
7 department and the eligible adult that identifies the:

8 (1) eligible adult's needs, strengths and
9 goals in the areas of safety, housing, education, employment or
10 income, health and mental health, local opportunities for
11 mentors and continuing support services; and

12 (2) activities, responsibilities and time
13 frames for addressing the goals specified in the transition
14 plan;

15 F. "voluntary services and support agreement" means
16 a written agreement, binding on the parties to the agreement,
17 between the department and an eligible adult, which agreement
18 specifies, at a minimum, the legal status of the eligible adult
19 and the rights and obligations of the eligible adult and the
20 department while the eligible adult is participating in the
21 fostering connections program; and

22 G. "young adult" means an individual who is at
23 least eighteen years of age and who is under twenty-one years
24 of age."

25 SECTION 3. A new section of the Children's Code is

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1 enacted to read:

2 "[NEW MATERIAL] FOSTERING CONNECTIONS PROGRAM--
3 ELIGIBILITY.--

4 A. The "fostering connections program" is
5 established in the department. The department shall make the
6 fostering connections program available, on a voluntary basis,
7 to an eligible adult who:

8 (1) has attained at least eighteen years of
9 age and who is younger than:

10 (a) as of July 1, 2020, nineteen years
11 of age;

12 (b) as of July 1, 2021, twenty years of
13 age; and

14 (c) as of July 1, 2022, twenty-one years
15 of age;

16 (2) was adjudicated as an abused or neglected
17 child pursuant to the Abuse and Neglect Act or its equivalent
18 under tribal law and:

19 (a) upon attaining eighteen years of
20 age, was under an out-of-home placement order; or

21 (b) had attained at least sixteen years
22 of age when a guardianship or adoption assistance agreement was
23 in effect;

24 (3) is:

25 (a) completing secondary education or an

1 educational program leading to an equivalent credential;

2 (b) enrolled in an institution that
3 provides post-secondary or vocational education;

4 (c) employed for at least eighty hours
5 per month;

6 (d) participating in a program or
7 activity designed to promote employment or remove barriers to
8 employment; or

9 (e) incapable of doing any of the
10 activities described in Subparagraphs (a) through (d) of this
11 paragraph due to a medical or behavioral condition, which
12 incapacity is supported by regularly updated information in the
13 case plan; and

14 (4) enters into a voluntary services and
15 support agreement with the department pursuant to the Fostering
16 Connections Act.

17 B. The citizenship or immigration status of a young
18 adult shall not be a factor when determining the young adult's
19 eligibility pursuant to this section."

20 SECTION 4. A new section of the Children's Code is
21 enacted to read:

22 "[NEW MATERIAL] FOSTERING CONNECTIONS PROGRAM--SERVICES--
23 SUPPORTS.--

24 A. The fostering connections program shall provide
25 at least the following services and supports to eligible

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1 adults:

2 (1) major medical and behavioral health care
3 coverage;

4 (2) housing, in one of the following settings
5 that the eligible adult chooses:

6 (a) a supervised independent living
7 setting;

8 (b) a transitional living program that
9 the department licenses or approves; or

10 (c) placement in a residential facility
11 or another institution; provided that: 1) except as provided
12 pursuant to Item 2) of this subparagraph, an eligible adult who
13 is residing in a residential facility upon leaving foster care
14 may choose to temporarily stay until the eligible adult is able
15 to transition to a more age-appropriate setting; and 2) if the
16 court finds that an eligible adult's developmental level,
17 disability or other condition indicates placement in a
18 residential facility or another institution due to an eligible
19 adult's developmental level, disability or other condition, the
20 eligible adult shall be placed in a residential facility or
21 another institution until the court deems that the eligible
22 adult may be appropriately placed in another setting;

23 (3) foster care maintenance payments; provided
24 that these payments:

25 (a) may be sent by the department, all

1 or in part, directly to: 1) the eligible adult, if the
2 eligible adult is living in a supervised independent living
3 setting; or 2) a transitional living program, if the eligible
4 adult is living in a transitional living program; and

5 (b) shall reflect the eligible adult's
6 status as a parent, if applicable; and

7 (4) case management services that include the
8 development of a case plan, developed jointly by the department
9 and the eligible adult, that includes a description of the
10 identified housing situation or living arrangement, and the
11 resources to assist the eligible adult in the transition from
12 the fostering connections program to adulthood. The case
13 management services shall include assisting the eligible adult
14 in:

15 (a) obtaining employment or other
16 financial support;

17 (b) obtaining a government-issued
18 identification card;

19 (c) opening and maintaining a bank
20 account;

21 (d) obtaining appropriate community
22 resources, including health, mental health, developmental
23 disability and other disability services and support;

24 (e) when appropriate, satisfying any
25 juvenile or criminal justice system requirements and assisting

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1 with sealing the eligible adult's children's court record
2 pursuant to Section 32A-2-26 NMSA 1978;

3 (f) completing secondary education;

4 (g) applying for admission and aid for
5 post-secondary education or vocational courses;

6 (h) obtaining the necessary state court
7 findings and then applying for special immigrant juvenile
8 status under federal law or applying for other immigration
9 relief for which the eligible adult may be qualified;

10 (i) obtaining a copy of health and
11 education records of the eligible adult;

12 (j) applying for any public benefits or
13 benefits for which the eligible adult may be entitled or that
14 may be due through the eligible adult's parents or relatives,
15 including state or federal cash assistance, nutritional
16 assistance or low-income home energy assistance;

17 (k) maintaining relationships with
18 individuals who are important to the eligible adult, including
19 searching for individuals with whom the eligible adult has lost
20 contact;

21 (l) accessing information about maternal
22 and paternal relatives, including any siblings;

23 (m) accessing youth empowerment
24 opportunities and peer support groups; and

25 (n) accessing pregnancy and parenting

1 resources and services.

2 B. The department shall not require background
3 checks for other residents of a supervised independent living
4 setting as a condition of approving an eligible adult's
5 supervised independent living setting.

6 C. The department shall develop procedures to
7 provide extended subsidies to families for adoption and
8 guardianship until the eligible adult turns twenty-one years of
9 age if:

10 (1) an adoption assistance or guardianship
11 assistance agreement was in effect for the eligible adult when
12 the eligible adult was sixteen years of age or older; and

13 (2) between the ages of eighteen and twenty-
14 one years, the eligible adult meets at least one of the
15 following participation criteria:

16 (a) completion of a secondary education
17 or a program leading to an equivalent credential;

18 (b) enrollment in an institution that
19 provides post-secondary or vocational education;

20 (c) participation in a program or
21 activity designed to promote, or remove barriers to,
22 employment;

23 (d) employment for at least eighty hours
24 per month; or

25 (e) is incapable of doing any of the

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1 activities described in Subparagraphs (a) through (d) of this
2 paragraph due to a medical or behavioral condition."

3 SECTION 5. A new section of the Children's Code is
4 enacted to read:

5 "[NEW MATERIAL] FOSTERING CONNECTIONS PROGRAM--
6 PARTICIPATION--VOLUNTARY SERVICES AND SUPPORT AGREEMENT--
7 PERIODIC CASE REVIEWS.--

8 A. An eligible adult may participate in the
9 fostering connections program for any duration of time while
10 the eligible adult is between eighteen and twenty-one years of
11 age, by entering into a voluntary services and support
12 agreement immediately upon turning eighteen years of age or any
13 time thereafter.

14 B. When an eligible adult elects to participate in
15 the fostering connections program, the department and the
16 eligible adult shall execute, and the eligible adult shall be
17 provided with a signed copy of, a voluntary services and
18 support agreement that sets forth, at a minimum, the following:

19 (1) a requirement that the eligible adult
20 continue to be eligible in accordance with the Fostering
21 Connections Act for the duration of the voluntary services and
22 support agreement;

23 (2) the services and support that the eligible
24 adult will receive through the fostering connections program;

25 (3) the voluntary nature of the eligible

1 adult's participation and the eligible adult's right to
2 terminate the voluntary services and support agreement at any
3 time; and

4 (4) conditions that may result in the
5 termination of the voluntary services and support agreement and
6 the eligible adult's early discharge from the fostering
7 connections program pursuant to Section 6 of the Fostering
8 Connections Act.

9 C. As soon as possible and no later than forty-five
10 days after the eligible adult and the department execute the
11 voluntary services and support agreement, the department shall
12 conduct a determination of income eligibility for purposes of
13 compliance with federal foster care and transitional care
14 assistance; provided that within fifteen days after execution
15 of the voluntary services and support agreement, the department
16 shall provide those services and supports set forth in that
17 agreement.

18 D. The department shall assign an eligible adult a
19 case manager, who shall be trained in primarily providing
20 services for transition-aged eligible adults.

21 E. The department shall provide reasonable efforts
22 to assist eligible adults in achieving permanency and creating
23 permanent connections after the age of eighteen.

24 F. The department and at least one person who is
25 not responsible for case management, in collaboration with the

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1 eligible adult and additional persons identified by the
2 eligible adult, shall conduct periodic case reviews not less
3 than once every one hundred eighty days to evaluate progress
4 made toward meeting the goals set forth in the case plan. The
5 department shall use a team approach in conducting case reviews
6 and shall facilitate the participation of the eligible adult."

7 **SECTION 6.** A new section of the Children's Code is
8 enacted to read:

9 "[NEW MATERIAL] TERMINATION OF VOLUNTARY SERVICES AND
10 SUPPORT AGREEMENT--NOTICE--APPEAL--PROCEDURE.--

11 A. An eligible adult may choose to terminate the
12 voluntary services and support agreement and stop receiving
13 services and support under the fostering connections program at
14 any time. If an eligible adult chooses to terminate the
15 voluntary services and support agreement, the department shall
16 provide the eligible adult with a clear and developmentally
17 appropriate written notice informing the eligible adult of:

18 (1) the potential negative effects of
19 terminating the voluntary services and support agreement early;

20 (2) the option to reenter the fostering
21 connections program at any time before attaining twenty-one
22 years of age, so long as the eligibility requirements are met;

23 (3) the procedures for reentering the
24 fostering connections program; and

25 (4) information about and contact information

1 for community resources that may benefit the eligible adult.

2 B. As part of the case management processes, the
3 department shall identify as soon as possible any barriers to
4 maintaining eligibility that an eligible adult is encountering
5 and shall make all reasonable efforts to address those
6 barriers. The department's efforts shall be documented in the
7 case plan.

8 C. Academic breaks in post-secondary education
9 attendance, such as semester and seasonal breaks, and other
10 transitions between status that meet eligibility requirements,
11 including education and employment transitions of no longer
12 than thirty days, shall not be a basis for termination.

13 D. If the department determines that a young adult
14 is no longer eligible for the fostering connections program,
15 the department shall:

16 (1) provide to the young adult a clear and
17 developmentally appropriate:

18 (a) written notice informing the young
19 adult of the department's intent to terminate the voluntary
20 services and support agreement; and

21 (b) explanation of the basis for the
22 termination; and

23 (2) make reasonable efforts to meet in person
24 with the young adult to explain the information in the written
25 termination notice and to assist the young adult in

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1 reestablishing eligibility if the young adult wishes to
2 continue participating in the program.

3 E. The department shall not terminate services
4 under the fostering connections program without court approval.

5 F. If an eligible adult remains in the fostering
6 connections program until attaining twenty-one years of age, at
7 least sixty days before the eligible adult's twenty-first
8 birthday, the department shall provide the eligible adult with
9 a clear and developmentally appropriate written notice
10 informing the eligible adult of the termination of the
11 voluntary services and support agreement at twenty-one years of
12 age, the transition plan requirement and information about and
13 contact information for community resources that may benefit
14 the young adult, specifically including information regarding
15 state programs established pursuant to federal law that provide
16 transitional foster care assistance to young adults."

17 SECTION 7. A new section of the Children's Code is
18 enacted to read:

19 "[NEW MATERIAL] FOSTERING CONNECTIONS PROGRAM--CHILDREN'S
20 COURT PETITION--JURISDICTION--CONTENTS--PROGRAM FILE.--

21 A. An eligible adult participating in the fostering
22 connections program shall remain under the jurisdiction of the
23 children's court while participating in the program. The
24 eligible adult is the eligible adult's own legal custodian.

25 B. Within fifteen days after the voluntary services

1 and support agreement is executed, the department shall file a
2 petition initiating proceedings pursuant to the Fostering
3 Connections Act that shall be entitled, "In the Matter of . . .
4 , an eligible adult", and shall set forth with
5 specificity:

6 (1) the name, birth date and residence of the
7 eligible adult; and

8 (2) the facts necessary to invoke the
9 jurisdiction of the court.

10 C. A petition filed pursuant to Subsection B of
11 this section shall be accompanied by a copy of the eligible
12 adult's voluntary services and support agreement and case plan.

13 D. There shall be no interruption in the foster
14 care maintenance payment, housing, medical assistance coverage
15 or case management for an eligible adult who is eligible and
16 chooses to participate in the fostering connections program
17 immediately following the termination of children's court
18 jurisdiction at age eighteen.

19 E. At the inception of a fostering connections
20 proceeding, the court shall appoint an attorney to represent
21 the eligible adult. If the eligible adult consents to the
22 appointment, the attorney who previously served as the eligible
23 adult's attorney may be appointed as the eligible adult's
24 attorney.

25 F. Unless excused by a court, an attorney appointed

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1 to represent an eligible adult shall represent the eligible
2 adult in any subsequent appeals.

3 G. A hearing held pursuant to the Fostering
4 Connections Act shall be commenced within ninety days of the
5 filing of the petition, at which time the court shall review
6 the voluntary services and support agreement and determine
7 whether the agreement is in the best interests of the eligible
8 adult."

9 SECTION 8. A new section of the Children's Code is
10 enacted to read:

11 "[NEW MATERIAL] REVIEW HEARINGS.--

12 A. The court shall conduct a review hearing at
13 least once per year.

14 B. The primary purpose of the review hearing shall
15 be to ensure that the fostering connections program is
16 providing the eligible adult with the needed services and
17 support to help the eligible adult move toward permanency and a
18 successful transition to adulthood. At the review hearing, the
19 department shall show that it has made reasonable efforts to
20 implement the case plan. A review hearing shall be conducted
21 in a manner that seeks the eligible adult's meaningful
22 participation.

23 C. The department shall prepare and present to the
24 children's court a report addressing progress made in meeting
25 the goals in the case plan, including an independent living

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1 transition proposal, and shall propose modifications as
 2 necessary to further those goals.

3 D. If the court finds the department has not made
 4 reasonable efforts to implement the case plan, the court may
 5 order additional services and support to achieve the goals of
 6 the case plan and the department's policies or state or federal
 7 law."

8 SECTION 9. A new section of the Children's Code is
 9 enacted to read:

10 "[NEW MATERIAL] DISCHARGE HEARING.--

11 A. At the last case review or review hearing held
 12 prior to the eligible adult's twentieth birthday, or prior to
 13 an eligible adult's discharge from the fostering connections
 14 program, the court shall review the eligible adult's transition
 15 plan and shall determine whether the department has made
 16 reasonable efforts to implement the requirements of Subsection
 17 B of this section.

18 B. The court shall determine whether:

19 (1) written information concerning the
 20 eligible adult's family history, the whereabouts of any
 21 sibling, if appropriate, and education and health records have
 22 been provided to the eligible adult;

23 (2) the following have been provided to the
 24 eligible adult:

25 (a) the eligible adult's social security

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1 card;

2 (b) the eligible adult's certified birth
3 certificate;

4 (c) the eligible adult's state-issued
5 identification card;

6 (d) the death certificate of a parent of
7 the eligible adult, if applicable;

8 (e) proof of the eligible adult's
9 citizenship or residence; and

10 (f) proof that the eligible adult has
11 been in foster care;

12 (3) assistance in obtaining medicaid has been
13 provided to the eligible adult, unless the eligible adult is
14 ineligible for medicaid; and

15 (4) referral for a guardianship or limited
16 guardianship if the eligible adult is incapacitated has been
17 made.

18 C. If the court finds that the department has not
19 made reasonable efforts to meet all of the requirements of
20 Subsection B of this section and that termination of
21 jurisdiction would be harmful to the eligible adult, the court
22 may continue to exercise its jurisdiction for a period not to
23 exceed one year from the eligible adult's twenty-first birthday
24 or the eligible adult's discharge from the fostering
25 connections program; provided that the eligible adult consents

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1 to continued jurisdiction of the court. The court may dismiss
 2 the case for good cause at any time after the eligible adult's
 3 twenty-first birthday or the eligible adult's discharge from
 4 the fostering connections program."

5 SECTION 10. A new section of the Children's Code is
 6 enacted to read:

7 "[NEW MATERIAL] FOSTERING CONNECTIONS ADVISORY COMMITTEE--
 8 MEMBERSHIP--APPOINTMENT--TERMS--DUTIES--MEETINGS--REPORT.--

9 A. By October 1, 2019, the secretary shall appoint
 10 a "fostering connections advisory committee" to make
 11 recommendations to the department and to the legislature
 12 regarding the fostering connections program. The committee
 13 shall meet on a biannual basis to advise the department and the
 14 legislature regarding ongoing implementation of the fostering
 15 connections program. By September 1, 2020 and each September 1
 16 thereafter, the committee shall provide a written report to the
 17 governor, the legislature and the secretary regarding ongoing
 18 implementation of the fostering connections program, including
 19 the number of participants and the number of early discharges.

20 B. By October 1, 2020 and each October 1
 21 thereafter, the committee shall develop specific
 22 recommendations for expanding the fostering connections program
 23 or improving outcomes for similar groups of at-risk young
 24 people.

25 C. The members of the committee shall include:

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1 (1) the following seven voting members:

2 (a) the secretary, ex officio, or the
3 secretary's designee;

4 (b) three members who are appointed by
5 the secretary as follows: 1) two youth or young adults who are
6 currently or were previously placed in foster care; and 2) one
7 representative of a child advocacy group; and

8 (c) three members who are appointed by
9 the secretary as follows: 1) one representative of a child
10 welfare advocacy organization; 2) one representative of the
11 department; and 3) one representative of an agency providing
12 independent living services; and

13 (2) the following ex-officio nonvoting
14 members:

15 (a) a legislator, appointed by the New
16 Mexico legislative council;

17 (b) a children's court judge, appointed
18 by the administrative office of the courts; and

19 (c) a subject-matter expert, appointed
20 by the secretary.

21 D. Members of the committee shall be appointed for
22 terms of two years; provided that the initial committee
23 members' terms shall be staggered so that no more than five
24 members' terms shall expire in any one year.

25 E. The secretary shall convene a first meeting of

1 the committee by December 1, 2019. At that first meeting, the
2 members of the committee shall choose a chair, and members'
3 terms shall be chosen by lot.

4 F. The secretary shall fill vacancies on the
5 committee as they occur.

6 G. A majority of the committee members constitutes
7 a quorum for voting purposes.

8 H. Members of the committee shall receive per diem
9 and mileage pursuant to the Per Diem and Mileage Act and shall
10 receive no other compensation, perquisite or allowance for
11 their service on the committee.

12 I. As used in this section:

13 (1) "committee" means the fostering
14 connections advisory committee; and

15 (2) "secretary" means the secretary of
16 children, youth and families."

17 **SECTION 11.** Section 32A-1-16 NMSA 1978 (being Laws 1993,
18 Chapter 77, Section 25) is amended to read:

19 "32A-1-16. BASIC RIGHTS.--

20 A. A child subject to the provisions of the
21 Children's Code is entitled to the same basic rights as an
22 adult, except as otherwise provided in the Children's Code.

23 B. A person afforded rights under the Children's
24 Code shall be advised of those rights at that person's first
25 appearance before the court on a petition under the Children's

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1 Code.

2 C. An eligible adult retains all of the basic
3 rights of an adult while receiving services pursuant to the
4 fostering connections program."

5 SECTION 12. Section 32A-1-20 NMSA 1978 (being Laws 1993,
6 Chapter 77, Section 29) is amended to read:

7 "32A-1-20. PURCHASE OF CARE FROM PRIVATE AGENCY BY PUBLIC
8 AGENCY.--

9 A. When the legal custody of a child or the
10 placement and care responsibility of an eligible adult is
11 vested in a public agency, under the provisions of the
12 Children's Code, the public agency may transfer physical
13 custody of the child or the eligible adult to an appropriate
14 private agency and may purchase care and treatment from the
15 private agency if the private agency submits periodic reports
16 to the public agency covering the care and treatment the child
17 or eligible adult is receiving and the child's or eligible
18 adult's responses to that care and treatment. These reports
19 shall be made as frequently as the public agency deems
20 necessary, but not less often than once each six months for
21 each child or eligible adult. The private agency shall also
22 afford an opportunity for a representative of the public agency
23 to examine or consult with the child or eligible adult as
24 frequently as the public agency deems necessary.

25 B. As used in this section, "eligible adult" means

1 an individual who meets the eligibility criteria for
 2 participation in the fostering connections program established
 3 pursuant to the Fostering Connections Act."

4 SECTION 13. Section 32A-5-45 NMSA 1978 (being Laws 1993,
 5 Chapter 77, Section 172, as amended) is amended to read:

6 "32A-5-45. ADMINISTRATION OF SUBSIDIZED ADOPTIONS.--

7 A. The department shall promulgate all necessary
 8 regulations for the administration of the program of subsidized
 9 adoptions or placement with permanent guardians.

10 B. Subsidy payments may include payments to vendors
 11 for medical and surgical expenses and payments to the adoptive
 12 parents or permanent guardians for maintenance and other costs
 13 incidental to the adoption, care, training and education of the
 14 child. The payments in any category of assistance shall not
 15 exceed the cost of providing the assistance in foster care.

16 Payments shall not be made under this section after the child
 17 reaches eighteen years of age, except for a child who is
 18 enrolled in the medically fragile waiver program, in which case
 19 the payments may extend until the child is twenty-one years of
 20 age. Payments shall be made pursuant to this section until a
 21 child reaches twenty-one years of age if the adoption
 22 assistance agreement was in effect when the child was at least
 23 sixteen years of age and, between the ages of eighteen and
 24 twenty-one years of age, the child:

25 (1) has completed secondary education or a

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1 program leading to an equivalent credential;

2 (2) is enrolled in an institution that
3 provides post-secondary or vocational education;

4 (3) participates in a program or activity
5 designed to promote or remove barriers to employment;

6 (4) is employed for at least eighty hours per
7 month; or

8 (5) is incapable of doing any of the
9 activities described in Paragraphs (1) through (4) of this
10 subsection due to a medical or behavioral condition, and
11 provides evidence of the child's incapability, which evidence
12 is supported by regularly updated information.

13 C. A written agreement between the adoptive family
14 or permanent guardians and the department shall precede the
15 decree of adoption or permanent guardianship. The agreement
16 shall incorporate the terms and conditions of the subsidy plan
17 based on the individual needs of the child within the permanent
18 family. In cases of subsidies that continue for more than one
19 year, there shall be an annual redetermination of the need for
20 a subsidy. The department shall develop an appeal procedure
21 whereby a permanent family may contest a division determination
22 to deny, reduce or terminate a subsidy.

23 D. As used in this section, "eligible adult" means
24 an individual who meets the eligibility criteria for
25 participation in the fostering connections program established

1 pursuant to the Fostering Connections Act."

2 SECTION 14. TEMPORARY PROVISION--AMENDED STATE PLAN
3 AMENDMENT--CHILDREN, YOUTH AND FAMILIES DEPARTMENT RULES.--

4 A. By October 1, 2020, the children, youth and
5 families department shall:

6 (1) submit an amendment to the state plan to
7 seek federal funding for newly eligible adults for whom an
8 adoption subsidy or a guardianship assistance agreement was in
9 effect if the child had attained sixteen years of age before
10 the agreement became effective or for whom a state-funded
11 guardianship assistance agreement was in effect if the youth
12 had attained sixteen years of age before the agreement became
13 effective;

14 (2) implement the fostering connections
15 program pursuant to the provisions of the Fostering Connections
16 Act and maximize the children, youth and families department's
17 access to federal funds for extended guardianship assistance
18 and extended adoption assistance for the benefit of eligible
19 adults participating in the fostering connections program; and

20 (3) adopt and promulgate rules as needed to
21 carry out the provisions of the Fostering Connections Act.

22 B. As used in this section, "eligible adult" means
23 an individual who meets the eligibility criteria for
24 participating in the fostering connections program.

25 SECTION 15. TEMPORARY PROVISION--WORK GROUP--YOUTH

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1 ADJUDICATED UNDER THE DELINQUENCY ACT--PARTICIPATION IN
2 FOSTERING CONNECTIONS PROGRAM--DUTIES--REPORTING.--The
3 secretary of children, youth and families shall convene a work
4 group composed of experts in children's services and juvenile
5 justice to collect information and make recommendations on
6 including in the fostering connections program youth who have
7 been adjudicated under the Delinquency Act. The work group
8 shall examine and report to the secretary of children, youth
9 and families and the legislature by November 1, 2019:

10 A. the potential number of young adults who could
11 be included in the fostering connections program;

12 B. the processes by which young adults eligible to
13 participate in the fostering connections program could be
14 identified;

15 C. procedures for assisting young adults to become
16 eligible for the fostering connections program; and

17 D. the potential placement and service array that
18 would be required for including young adults who have been
19 adjudicated under the Delinquency Act in the fostering
20 connections program.