

## Assisting Your Clients in Court: Independent Living Services for Teenagers in Foster Care

Program designed after both federal and state legislation:

- John H. Chafee Foster Care Program for Successful Transition to Adulthood—federal legislation that establishes IL services for older youth;
- Idaho Chafee Foster Care Independence Program State Plan (CFCIP)—plan designed to achieve the purposes of sections 477(b) (20)(A) and sections 477(a) (1-5) of the Chafee Foster Care Independence Program Act by assisting youth in achieving a goal of self-sufficiency.
- Fostering Connections to Success and Increasing Adoptions Act of 2008—has a provision around transition planning, specifically 90 days before the youth turns 18.

### 1. Eligibility for Idaho's Chafee Foster Care Independence Program

- a. Must be between the ages of 14-21
- b. Must be, or have been, the responsibility of the State or tribe through a court order
- c. Have been in an eligible placement for 90 cumulative days past 14<sup>th</sup> birthday
  - i. Eligible placements include foster care, group care, Indian boarding schools
  - ii. Non-eligible placements include extended home visits, protective supervision, in-patient hospital stays, detention, forestry camps, or other settings primarily designed for services to delinquent youth
- d. Room and board eligibility—must have aged out of foster care at the age of 18 and not yet reached 21.
- e. ETV eligibility—if youth reaches permanency status of adoption or guardianship on/or after the youth's 16<sup>th</sup> birthday, they remain eligible for ETV

### 2. Practice

- a. Assessment and Planning
  - i. Assessment includes a Casey Life Skills assessment annually (completed by youth and supportive adult)
  - ii. IL plan is completed with the youth/young person and should include the following domains:
    1. Cultural/personal identity formation
    2. Supportive relationships and community connections
    3. Physical and mental health
    4. Life skills
    5. Education
    6. Employment
    7. Housing
- b. Credit Reports
  - i. P. L. 113-183 amends the Title IV-E to require that each child in foster care who is age 14 and older must receive without cost a copy of a consumer credit report regarding the youth's credit history.

- c. Transition planning at 17 and again 90 days before 18
  - d. Health and Education Passport
  - e. Medicaid to 26
    - i. The Affordable Care Act includes a provision that allows young people who “aged out“ of foster care (turned 18 while in foster care) access to affordable health care coverage through Medicaid up to age 26. Effective January 1, 2014, Medicaid will be available, regardless of income, to former foster youth who were in foster care and receiving Medicaid at age 18 and who have not yet reached the age of 26. Youth must reside in Idaho to obtain this coverage and youth from states other than Idaho will not be able to obtain coverage in Idaho.
3. Post 18
- a. Eligible for Room and Board if aged out at 18
  - b. Eligible for IL services/supports until the age of 21
  - c. Education and Training Voucher
    - i. Must have high school diploma or GED
    - ii. Eligible for 5 awards or up to the age of 26, whichever comes first
    - iii. Max amount is \$5,000 annually
4. Changes with Consolidation Appropriations Act, Public Law 116-260
- a. Signed into law December 27, 2020
  - b. Date of emergency declaration is January 27, 2020
  - c. Temporary changes to Chafee program/eligibility through April 2021
    - i. Youth remain eligible for IL until the age of 27
    - ii. Extended Foster Care: Young people can voluntarily sign themselves back into foster care (seeking additional clarification on ages for this) or pay for room and board without needing to meet eligibility requirements (aging out of foster care)
    - iii. ETV available until the age of 27 and annual award can go up to \$12,000
    - iv. Transportation component—goal is to increase the number of youth who obtain their driver’s licenses while in foster care