



Report to the Committee Members of
Select Committee on Children and Youth
House Children and Families Affairs
House Health and Human Resources
Senate General Welfare,
Health and Human Resources

Report Submitted by
Public Chapter 415 Advisory Council

October 29, 2010



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Executive Director
DEBBIE GAZZAWAY
Legislative Aide
ELIZABETH INSOGNA
Staff Attorney
ANASTASIA CAMPBELL
Staff Attorney

**Select Committee on Children and Youth
Tennessee General Assembly
7th Floor, Rachel Jackson Building
320 - 6th Avenue North
Nashville, Tennessee 37243-0061
615-741-6239 or 1-800-449-8366 ext. 16239
615-741-5471 (fax)**

October 29, 2010

Rep. John DeBerry, Chairman
House Children and Family Affairs
24 Legislative Plaza, Nashville, TN

Rep. Joe Armstrong, Chairman
House Health and Human Resources
25 Legislative Plaza, Nashville, TN

Senator Rusty Crowe, Chairman
Senate General Welfare, Health and Human Resources
8 Legislative Plaza, Nashville, TN

Dear Sirs:

At the completion of the 105th General Assembly, the Select Committee on Children and Youth was directed by Public Chapter 415 to establish a non-funded, voluntary post-custody services advisory council. This council shall be responsible for identifying strategies to assess and track the effectiveness of post-custody services of children that are aging out of the foster care system.

Since the last report was submitted on October 30, 2009, the Council has met an additional 6 times with an average attendance of 23 members at each meeting, agendas and the minutes of these meetings are included as Attachment A.

The Council is required to report no later than October 31st of each year to the Select Committee on Children and Youth, House Children and Family Affairs Committee, House Health and Human Resources Committee and Senate General Welfare, Health and Human Resources Committee--making recommendations for the continuing operation of the system of post-custody services and supports.

Attached you will find the second annual report on this complex issue.

Respectfully,

Rep. Sherry Jones
Chair, Select Committee on Children and Youth

c: Speaker Kent Williams; Lt. Gov. Ron Ramsey

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“My mom went to jail when I was 2 years old, and from then until I came into custody at age 15 I stayed with family members. Except for the first three months in custody, I was in the same foster home the entire time – it was a place to live but it wasn’t a home, we had no emotional connection and that is really what I was looking for. I never had a big support network, it was always just people coming in and going out – there weren’t any real stable relationships.

I knew I was going to college, I was already accepted at Rhodes College and the plan had been for me to stay with my foster family until I moved to the dorm when fall semester began. But a month before my high school graduation plans changed and I had to leave. I was scared and I didn’t know what to do, my caseworkers kept pushing me to find some place I could go. I tried and tried to come up with a plan, but all those people who along the way had said, ‘If you need anything just call me. . .’, well they just disappeared. Finally I thought of my godmother, I called and asked and she said sure, that I could stay with her. I don’t know what I would have done if she’d of said no. Homeless is a scary place to be.

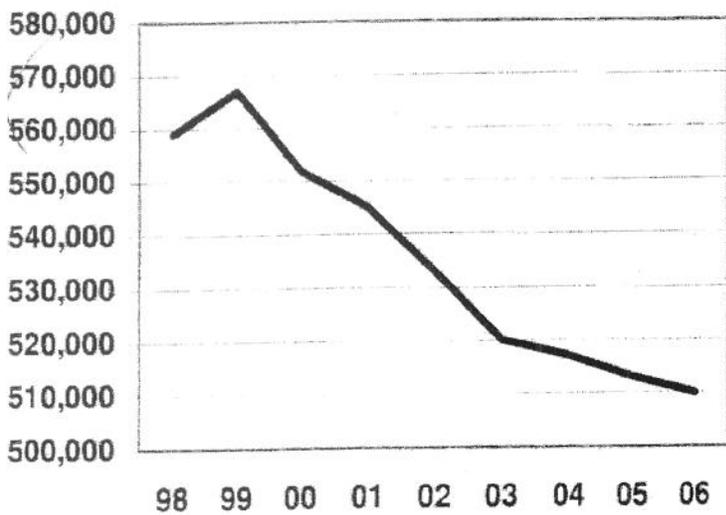
So, now a few months have past and I’m getting adjusted to college, I’m living in the dorm and staying in close touch with my godmother. I hope she stays there for me, if she goes away I won’t have anyone. Right now, though, I’m just going day to day, I don’t really know what to expect. I’m going to keep working hard at college and somehow I will reach my goal of being a clinical psychologist.

*Latoya, 18, Shelby County
October 25, 2010*

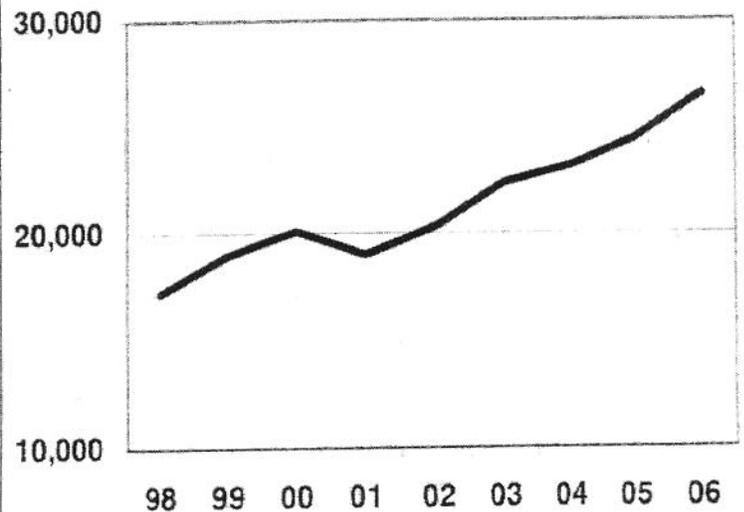
The Changing Face of Foster Care

Since 1999, states including Tennessee have been bringing down the total numbers of children in foster care, however, an interesting and telling phenomena is associated with that decrease. Both nationally and in Tennessee, age demographics of foster care populations are changing, shifting toward increased entries during the middle teenage years. While the average age at entry is going up, more and more older youth are staying in the system until reaching the age of majority. The following charts provided by the Jim Casey Youth Opportunity Initiative and the Pew Charitable Trust show clearly the inverse action around age that is going on nationally.

THE TOTAL NUMBER IN FOSTER CARE HAS DECREASED EVERY YEAR SINCE 1999

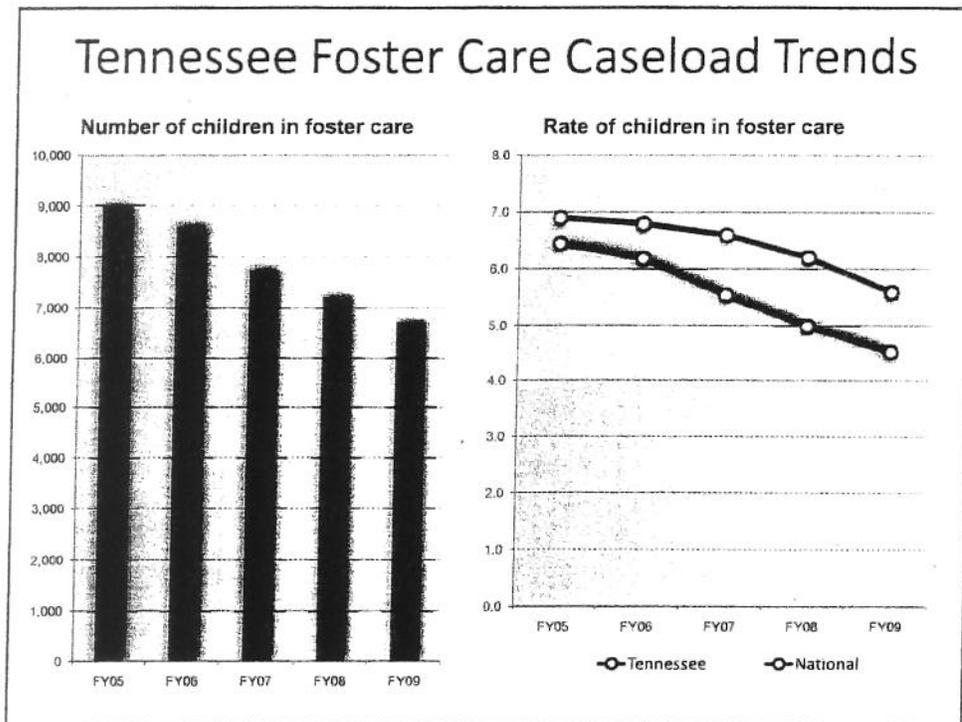


THE NUMBER OF YOUTH AGING OUT OF FOSTER CARE HAS INCREASED EVERY YEAR SINCE 2001



Source: Kids are Waiting and the Jim Casey Youth Opportunities Initiative (2007); Time for Reform: Aging Out and On Their Own. Philadelphia, PA: Pew Charitable Trust

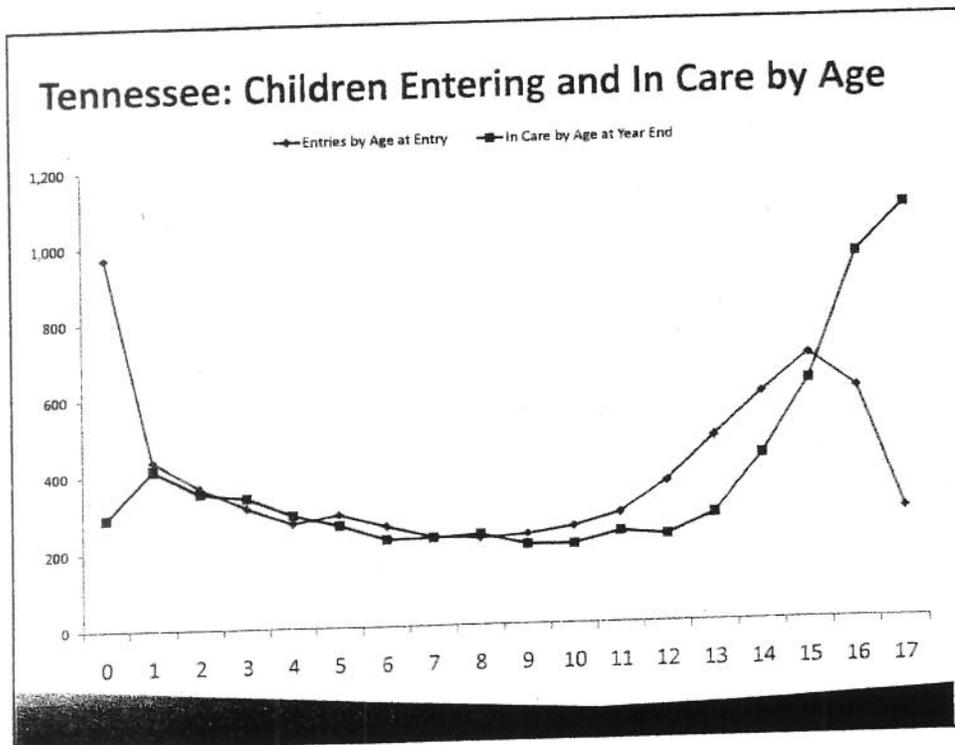
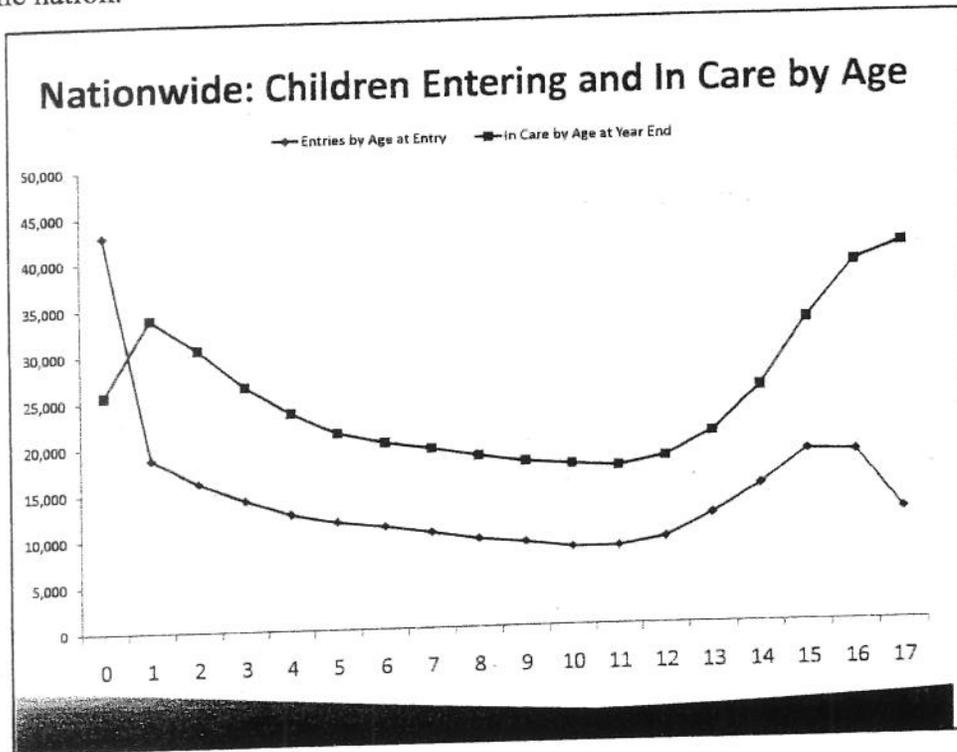
In Tennessee we are experiencing the same shift in our foster care age demographics, as depicted in the following graphs. According to Department of Children’s Services data as presented by Casey Family Programs in a 10.18.10 meeting with the Select Committee on Children and Youth leadership, from 2005 through 2009 Tennessee’s total state custody population declined from approximately 9,000 children to just under 7,000 children, and the state’s rate of children in foster care has declined markedly from the national rate over the course of those same years.



Source: Casey Family Programs: Presentation to Select Committee on Children and Youth, October 18, 2010

Calendar year 2009 data for the nation and for Tennessee shows this *aging of foster care* phenomena. During that year right at 50% of the state’s total custody population, or

approximately 3,400 wards of our state, were 14 – 18 years old. Among all other states, Tennessee is recognized as having one of the highest older youth foster care populations per capita in the nation.



Source: Casey Family Programs: Presentation to Select Committee on Children and Youth, October 18, 2010

With the age demographic of states' foster care populations shifting upward as it has, Tennesseans should be pleased about the strides being made by state agencies and a host of residential and community-based child-serving organizations across the state to identify our Aging Out Youth (AOYers) and develop assurances they are aware of services and supports available for them as they transition into the early years of adulthood. The following pages contain a recap with highlights of the efforts made at the behest of the PC415 Advisory Council over the past year to accomplish improvements for Tennessee's AOYers.

Federal Changes and State Investments Mean Opportunities for Tennessee

AOYers. . . .

The PC415 Advisory Council, in close relation to the Department of Children's Services, has spent much of the past year advising about and subsequently deciphering the federal guidelines for the implementation of important federal legislation – P.L. 110-351: The Fostering Connections to Success and Increasing Adoptions Act of 2008. This federal law allows states to extend foster care for youth involved in any of five (5) educational or employment circumstances up to their 21st birthday. States will, thus, be eligible to draw down Title IV-E reimbursement funds to offset the costs associated with such an extension. Federal guidance allows states considerable flexibility in setting up programs for providing services and supports for serving AOYers for some period of time beyond age. The Council sent a letter to the U.S. Department of Health and Human Services Administration for Children and Families in July advising for flexibility in rules especially regarding housing definitions and judicial oversight.

Subsequent to passage of Public Chapter 1065 [HB3114.SB3101] during the past session of the Tennessee General Assembly (Attachment B), DCS is now authorized by state law to establish a program of services for youth who are transitioning to adulthood from state custody. Services may be provided on a voluntary basis to any person who is at least 18 years old but less than 21 years old who was in custody at the time of the person's eighteenth birthday. Along with passing the enabling legislation, the General Assembly also made a significant monetary investment in AOYers. The FY10-11 budget contains an appropriation of 2.162 million dollars (\$381,000 recurring dollars and 1.781 million non-recurring dollars) in DCS' budget for the implementation

of the provisions of this law, cited as “Tennessee’s Transitioning Youth Empowerment Act of 2010”.

With advisement from the PC415 Advisory Council, DCS is pursuing a utilization plan with these additional funds to identify and serve youth aging out who at age 18 have not completed high school but are on track to do so by age 20, provided the youth volunteers to accept and engage in such services as may be available. The specific goal of this strategy is to increase high school graduation of AOYers. Judicial oversight will be provided under existing juvenile court jurisdiction, however, specialized review processes which will be discussed further in this report are being developed with leadership from the Administrative Office of the Courts (AOC).

Additionally, DCS’ utilization plan includes development and contractual support for *resource centers* in Knoxville and in Memphis. The PC415 Advisory Council has advised the department concerning these expansion plans, and that advisement will be discussed further in this report.

"I was 15 years old when I came to Tennessee from Ohio. Mom and Dad just couldn't take care of us. My younger two brothers were going into custody and my aunt took my older brother and me. When she couldn't take care of me anymore she sent me to an uncle by-marriage in Nashville but folks convinced him he couldn't take care of me so he took me to court and I was put in foster care. The worst thing about all this is I've lost touch with my family in Ohio, I've lost connections with my siblings and they seem to blame me. I don't know what I was supposed to do, though; I was just a kid, too.

I was in three foster homes while I was in custody. But the last foster mom is who really pulled me together. She convinced me to believe in myself, and she taught me to manage money – growing up like I did, making financial decisions was something that I just didn't have any framework for doing. My independent living specialist has been great, too. They've helped me so much to be doing as well as I am now. I'm taking care of myself and my year old son, and I'm in school doing what I need to do to be able to keep on taking care of us.

I really like working as a Peer Advocate with the foster care review board, especially the juvenile justice kids. Lots of kids in state custody just want to do the time and walk away. You know, I can relate to them, I've been in the same situation. But when I open up to them about my own experiences, they can relate to me and we can really talk. I try very hard to tell them to take whatever help that post-custody services can give them because nothing magic happens when you turn 18, you still have to have a place to stay and someway to feed yourself. I can honestly say that figuring those things out and working a plan to be somebody in this world has been a lot easier for me with the help I've gotten, and I'm sure that goes for all the other youth aging out of foster care, too."

*Tyesha, age 23
Davidson County
October 27, 2010*

Specialized Judicial Oversight for AOYers.

As the PC415 Advisory Council worked with DCS and their technical assistance consultant, The Finance Project (TFP), to develop a structural framework for a post-custody foster care program for Tennessee, it was anticipated that federal requirements for judicial case reviews would be in sync with the long-standing requirements; to wit periodic reviews, permanency hearings, monthly caseworker visits, and that there be a judicial determination made every twelve (12) months that the agency made reasonable efforts to finalize a permanency plan. Tennessee juvenile court judges, their designee foster care review boards and DCS are on board and functioning to meet both federal and state mandates concerning judicial oversight of care and progress toward permanence, so no new oversight constructs are required as AOYer begin opting into the post-custody services program, effective October 1, 2010.

Council members believe, though, that the permanence goals and the requisite reviews for older foster youth should be targeted not only on maintenance of basic needs and relational connections but also on secondary education completion, pursuit of higher education, and guidance and support to develop and engage employment skills. AOYers are, after all, adults for all legal intents and purposes with the single exception of eligibility for receipt of Title IV-E reimbursable services. Therefore, the council is supportive of the development and training of foster care review boards to specialize in reviewing the cases of older youth who continue in foster care beyond age 18. The council further believes that peer advocacy for older foster youth by reviewers who have themselves experienced state custody is a creative strategy that should be employed to increase the effectiveness of the oversight process.

The AOC, as the administrative agency that supports development of protocols for judicial oversight from the bench as well as by the courts' designated review boards, has for the past two years been designing and implementing the practice of specialty foster care review boards for older foster youth and AOYers. Currently these boards are operating in Gibson, Madison, Sevier, Tipton, Williamson and Davidson Counties. Davidson, Madison and Tipton Counties also have Peer Advocates working through review boards to assure the unique barriers encountered by older foster youth are addressed and resolved; Sevier and Williamson Counties will have Peer Advocates involvement in force as of November 2010.

Resource Center Expansion. . . .

Since 2002, the Jim Casey Youth Opportunities Initiative (JCYOI) has been working with Tennessee partners to develop and demonstrate effective strategies for improving the long-term education, employment and health outcomes of AOYers. Nashville is one of three original JCYOI sites that have implemented a very focused strategy called ***Opportunity Passport***. A major prong of Tennessee's demonstration has been development of *resource centers* that serve as a centralized location for information, linkages and resources transitioning youth need such as housing and household goods, computer lab, internet access, counseling, financial management assistance, laundry facilities, meeting space and a social gathering spot. Very importantly, a *resource center* has personnel on-site who are particularly knowledgeable about community-based services, supports and resources available to these young people. The council believes such a location for the pooling of knowledge and information about both public and private sector help for AOYers is key to effective dissemination of such information that they need.

Central to the JCYOI ***Opportunity Passport*** improvement strategy is a component called an *individual development account* (IDA), or a matched savings account. Teaching the skills of financial literacy and providing the support to AOYers to make sound, well-informed saving and spending decisions along with aiding them in asset development through IDAs is practice that is now proven to contribute to better outcomes of well-being and positive youth development.

Monroe Harding Children's Home, in partnership with DCS and the Vanderbilt Institute for Public Policies Studies, has been the agency which has housed the *resource center* demonstration site in Nashville. With advisement from the PC415 Advisory Council, DCS is supporting the expansion of *resource centers* with development underway in Knoxville and a Memphis center that has been in operation since 7.1.10. All three (3) *resource center* are operating the ***Opportunity Passport*** model and building IDAs for their enrolled youth.

Determining appropriate levels of funding support for *resource center* initial development and on-going operation has been the subject of much dialogue between council members and DCS management over the recent months. The council has asked for a funding formula proposal from DCS that provides for start-up as well as maintenance support for the centers going forward; that proposal will be reviewed and debated early in the coming year.

PC415 going forward. . . .

The PC415 Advisory Council believes that over recent years the extraordinary circumstances of older foster youth who age out of state custody and the unique barriers with which they must contend, have indeed, been raised to level of awareness that is now spawning actions for improvements. They are an identifiable sub-population of states' foster care populations who, just as their cohort youth who have never experienced foster care, need relational connections and support networks throughout life but most especially during the years of transition to adulthood.

Tennessee's child welfare system has and continues making reasonable efforts to help older foster youth establish and strengthen relational connections, we are as effective as any other state in completing adoptions for older teen foster youth. State statutes and DCS practice provide for permanent guardianship and adoption subsidies to secure relational permanence, as well. These efforts are good and the state continues striving for successful legal and relational permanence for youth in its custody, and we should never in any way forget about or minimize the importance of this. Speaking recently about her own experience, Mary Lee of Memphis, who was in foster care and adopted two weeks before her 18th birthday, remembered how her caseworkers couldn't really understand why at her age with a bright college and career path in front of her that her desire to be adopted would be so strong. Mary told the group, "The answer is simple. Being adopted wasn't about my childhood. Being adopted is about the rest of my life."

The provisions that the federal Fostering Connections law and Public Chapter 1065 now give us here in our own state are most certainly going to provide for better efforts to help older foster youth and AOYers to successfully grow into adulthood through higher education attainments, viable and productive job skills, and security about basic needs.

The PC415 Advisory Council would like to acknowledge and thank the Tennessee General Assembly for public policy and funding that enables the attention being given to AOYers; the Tennessee Supreme Court for guidance and action to provide proper judicial oversight for AOYers; the state agencies who have participated in the council work and examined their departmental interface with young Tennesseans who may be AOYers; and, DCS for the administrative and “on the ground” leadership and support the department gives to Tennessee’s older foster youth and AOYers each and every day. On behalf all the foster youth who will become 18 years old during the coming year and all those young adults who have benefited from state supported post-custody services, thank you for giving them safe harbor to recover from their life circumstances and for the opportunity to pave a path to successful adulthood.

Attachment A

Public Chapter 415 Advisory Council

September 17, 2010

9:00 a.m.

Cordell Hull Building, Nashville, TN

Agenda

- Discussion of DCS' Proposals for Funding
- Next Steps

Debbie Gazzaway

From: Cindy Perry
Sent: Friday, September 24, 2010 10:51 AM
To: Aaron Campbell; Cheryl Hultman; Anastasia Campbell; Barbara Jones; Cory Bradfield; Debbie Gazzaway; Elizabeth Insogna; Jeanne Richardson; Sherry Jones; Roark Brown; Beverly Marrero; Sharon Peters; mwolf@child-family.org; BLangford@financeproject.org; Josh Conner; passionray87@gmail.com; stephanie.l.millard@gmail.com; Dorsell Martinez; BradWilliams@holstonhome.org; Amy Jones; Carol.Dunaway@mcnabb.org; janet.jenkins@mcnabb.org; Jill.Barnes@mcnabb.org; dferguson@oasiscenter.org; rbryant@oasiscenter.org; dmeehan@omnivisions.com; milton@smaweb.org; morgan@smaweb.org; richard.edgar@state.tn.us; ewilbur@tamho.org; melindab@tds.net; Amanda Lewis; Angie Cannon; Christy Montgomery; Elizabeth Black; Jacqueline Johnson; Jeanne James; Jim Cosby; Kim.Crane Mallory; Lee Ragsdale; Linda ONeal; Mary Rolando; Steve Petty; Sumita Banerjee; ed.lake@tn.gov; randy.hankins@tn.gov; sterling.vanderspuy@tn.gov; dhalfman@tnchildren.org; rmortensen@tnchildren.org; tchevy@tnchildren.org; Nyasha.Justice@tncourts.gov; cbryson@tnvoices.org; msweeney@tnvoices.org; pamelacash@tnyouthconnections.net; debbie.miller@Vanderbilt.Edu; raquelcalvo@yahoo.com; mary.lee@youthvillages.org
Cc: Audrey Corder; Bonnie Hommrich; Lane Simpson
Subject: RE: Fostering Connections Update -- Good News!

Thanks for all the good news, Aaron. This should make us all feel affirmed in our work, heretofore, in the development of this proposal.

I've communicated with both Rep. Jones and Debbie Miller this a.m., neither of whom will be able to join the 11 a.m. call. Both are good with the proposal, although obviously disappointed that some amount of funding (above & beyond the \$180,000 being equally divided between K'ville & Memphis) can not be allocated for Monroe Harding. DCS was asked last week to give some sort of a development/maintenance funding formula proposal for resource centers; realizing you may not have had time to thoroughly vet such a proposal since last Friday's conf. call, please do proceed with this and forward to us as soon as you can.

With that being said, following are a few requests Rep. Jones and I have for information and follow up:

- 1.Beginning November 1st, DCS to give the PC415 Council updates at the beginning of each month on the progress of program operation.
- 2.Please include in the monthly report detailed information on the number of youth served in previous month broken out by new intakes, # remaining service, and # of exits.
- 3.Also include the amount of \$\$ spent and the specific use of those dollars.

Two other questions I need to ask:

- 1.What is the timeline for hiring the 6 new case managers and where will their official work stations be?
- 2.What allotment code is this program money included under?

I hope these points will help move the conversation along. I do appreciate the time and energy every person has given to the implementation of Public Chapter 415, and I do look forward to our conversation in a few minutes.

Cindy

From: Aaron Campbell [mailto:Aaron.Campbell@tn.gov]
Sent: Thursday, September 23, 2010 4:39 PM
To: Cheryl Hultman; Anastasia Campbell; Barbara Jones; Cindy Perry; Cory Bradfield; Debbie Gazzaway; Elizabeth Insogna; Jeanne Richardson; Sherry Jones; Roark Brown; Beverly Marrero; Sharon Peters; mwolf@child-family.org; BLangford@financeproject.org; Josh Conner; passionray87@gmail.com; stephanie.l.millard@gmail.com; Dorsell Martinez; BradWilliams@holstonhome.org; Amy Jones; Carol.Dunaway@mcnabb.org; janet.jenkins@mcnabb.org; Jill.Barnes@mcnabb.org; dferguson@oasiscenter.org; rbryant@oasiscenter.org; dmeehan@omnivisions.com; milton@smaweb.org; morgan@smaweb.org; richard.edgar@state.tn.us; ewilbur@tamho.org; melindab@tds.net; Amanda Lewis; Angie Cannon; Christy Montgomery; Elizabeth Black; Jacqueline Johnson; Jeanne James; Jim Cosby; Kim.Crane Mallory; Lee Ragsdale; Linda ONeal; Mary Rolando;

10/27/2010

Steve Petty; Sumita Banerjee; ed.lake@tn.gov; randy.hankins@tn.gov; sterling.vanderspuy@tn.gov; dhalfman@tnchildren.org; rmortensen@tnchildren.org; tchevy@tnchildren.org; Nyasha.Justice@tncourts.gov; cbryson@tnvoices.org; msweeney@tnvoices.org; pamelacash@tnyouthconnections.net; debbie.miller@Vanderbilt.Edu; raquelcalvo@yahoo.com; mary.lee@youthvillages.org

Cc: Audrey Corder; Bonnie Hommrich; Lane Simpson

Subject: Fostering Connections Update -- Good News!

Importance: High

Good Afternoon PC415 Council Members:

Prior to our meeting tomorrow, we wanted to provide you a quick update on our proposal to extend care to those up to age 20 pursuing a high school education.

First, we are thrilled to have received positive feedback from the Feds regarding our plan to extend care to age 20. Extending care to a population lower than age 21 will require some additional documentation on the part of DCS as described in PI-10-11 of the Fostering Connections program which states, "if the title IV-E agency wants to extend assistance beyond age 18 but select a definition of "child" lower than age 21 (i.e., age 19 or 20), the title IV-E agency must sign and submit the corresponding certification in Attachment VI with the title IV-E plan amendment to the RO." We will do this and feel confident this will not cause any problem in receiving approval of our plan with an estimated start date of October 1st.

We also talked with the Regions 4 ACF office today to ensure that we fully understand the reimbursement formula that will be used in calculating federal 4-E match and we are confident we will maximize the state dollar with the plan we have developed. We also discussed the numbers we used to develop this program and believe the projections we shared with you last week are accurate.

Leadership also looked closely at the need for case management positions for implementation of this program as well as funding for Resource Centers across the state. While we would like as much of the funding appropriated by the General Assembly to go directly to expanding this program, we continue to believe that 6 additional case management positions will be needed. While we may have been able to absorb this new program several years ago, due to budget cuts and significant reductions in positions within the last few years--and the possibility for additional reductions in the next fiscal year, we believe it would be irresponsible of us to put further strain on existing resources. We know that it will take skilled workers throughout the state to ensure that youth are given every opportunity to maximize the potential of this new program.

As you can imagine, we also spent a great deal of time discussing funding for Resource Centers. We have committed to, and plan to fund the Resource Centers in Knoxville and Memphis at \$90,000 this year. We want to say very clearly—this is one time funding. We also discussed at great length the desire to provide funding to Monroe Harding and while we greatly value the work they do each day, we are unable to provide funding without cutting the funding of the other two centers. We want all of you to know that this decision does not in anyway reflect anything other than limitations in funding and our deep desire to provide seed money for additional programs throughout the state.

We are very encouraged about the impact this program will have on Tennessee Youth and appreciate all the hard work and support you have provided. We simply could not have done this without you. As a reminder, DCS will request carry-forward language in the budget document this year which will allow us to spend any unspent dollars in the next fiscal year. We believe any unspent dollars will also allow us to provide a state-funded "soft-landing" for youth on the program should the program not receive funding in the future.

We look forward to discussing this more with you tomorrow.

We have a conference line reserved from 11:00 a.m. to noon.

10/27/2010

To access the meeting, please dial:
1-888-776-3766 *6336448*

Again, thank you for your service to Tennessee's children.

Warmest regards,
Aaron Campbell

For additional information regarding Fostering Connections, please visit:
http://www.acf.hhs.gov/programs/cb/laws_policies/policy/pi/2010/pi1011.htm#sectn
Aaron Campbell
Legislative Director
TN Department of Children's Services

Office: 615.532.4801
Cell: 615.804.7003
Fax: 615.532.5729
Cordell Hull Building, 7th Floor
425 Fifth Avenue North
Nashville, TN 37243



STATE OF TENNESSEE
DEPARTMENT OF CHILDREN'S SERVICES
Office of Interdependent Living
436 6th Avenue North
8th Floor, Cordell Hull
Nashville, Tennessee 37243

MEMORANDUM

TO: Cindy Perry, Executive Director, Select Committee on Children
And Youth
Aaron Campbell, DCS Legislative Director
Members, PC 415 Oversight Committee

FROM: Lane Simpson, Director Interdependent Living, DCS

DATE: September 6, 2010

RE: Utilization of Appropriated Transition Funds

The Department has been working diligently to determine the most appropriate use of the funds granted for the transitioning population under HB3114. The premise under which the Department was attempting to opt in to the federal Fostering Connections program was to take a gradual approach by focusing first on the most vulnerable population, those youth completing their high school certification. This is an enumerated population with the Fostering Connections legislation.

Once the Department sought further guidance from the Administration for Children and Families regarding the implementation of this program and necessary requirements to receive the federal match, the equation became complicated. As a portion of the requirements, a state must extend adoption assistance and subsidized guardianship benefits at the level of the extension of foster care. With roughly 90 youth who would benefit in the extension of foster care, that number was increased by roughly double when the two other categories of funding were added. This presents a great deal of reticence for the Department as it is thought that beginning a program of this magnitude and import without dedicated funding on a continuing basis would place undue hardship on the agency. Final fiscal determinations are being made at the time utilizing the FMAT rate and penetration rate, both of which govern the level of reimbursement a state receives.

Although DCS feels strongly that the population we have identified is the best way to support the youth exiting our system at the most vulnerable level, we would respectfully recommend to the Committee that further study and clarification need to be conducted to determine the full impact to the state of this undertaking.

Moreover, given the Committee's stated preference that a portion of the funds be used to support the Memphis and Knoxville expansion sites in our ongoing work with the Jim Casey Youth Opportunities Initiative, we respectfully request guidance from the esteemed Committee in how best to pursue programming utilizing these funds.

cc: Audrey Corder
Bonnie Hommrich
Douglas Swisher

Public Chapter 415 Advisory Council

September 9, 2010

1:00 p.m.

3rd Floor Conference Room

2 International Plaza, Nashville, TN

Agenda

- State Criminal Justice Coordinating Council: How Do AOY fit in?
Lee Ragsdale, DOC
- Fostering Connections Guidelines/Update
Lane Simpson, DCS
- Workgroup Updates
- Revisit Recommendations from 10/2009 PC 415 Annual Report
- Other Business
Debbie Miller—Evaluation discussion
Christy Montgomery—Microsoft grant proposal

Council on PC 415
September 9, 2010
Tennessee Alliance for Children and Families
1 p.m.

Meeting Summary

Participant List:

Melinda Hayes, Dept. of Children's Services
Lee Ragsdale, Dept. of Finance & Administration, Criminal Justice Coordinating Council
Christy Montgomery, Dept. of Labor
Sumita Banerjee, Tennessee Commission on Children and Youth
Aaron Campbell, Dept. of Children's Services
Rob Mortensen, Independent Child Advocate
Dennis Meehan, Omni Vision
Karen Morgan, South Memphis Alliance
Raquel Pfeifer, Jim Casey Youth Opportunities Initiative (visitor)
Lane Simpson, Dept. of Children's Services
Stephanie Millard, Independent Child Advocate
Darci Halfman, Tennessee Alliance for Children and Families
Mandy Lewis, Dept. of Children's Services
Roark Brown, Tennessee General Assembly, Legislative Budget Analysis
Kim Crane Mallory, Governor's Office of Children's Care Coordination
Steve Petty, Tennessee Commission on Children and Youth
Rep. Sherry Jones, Tennessee General Assembly
Debbie Gazzaway, Tennessee General Assembly
Cindy Perry, Tennessee General Assembly
Richard Edgar, Dept. Mental Health & Developmental Disabilities (by phone)
Debbie Miller, Vanderbilt Institute for Public Policy Studies

Welcome and Introductions—Cindy Perry

Presentation on State Criminal Justice Coordinating Council (SCJCC): Lee Ragsdale, executive director, SCJCC, gave a brief history of the council formation by executive order and now codified in TCA. The council does have a juvenile justice committee and is a venue where work of other groups such as the 415 Council can be made known. Lee concurred that information about recidivism, i.e. circumstances of repeat and chronic offenders in first the juvenile system and subsequently in the adult system, needs to be tracked and recorded; also gleaning relevant history through the adult criminal justice system intake processes about persons who experienced state custody for dependency and/or delinquency as a child and other germane information is a topic he will recommend the SCJCC consider.

Update on legislation: HB3114.SB3101 passed, it is Public Chapter 1065 (2010). An appropriation of 2.179 million appropriated for FY 10-11. Of that, \$381, 000 is recurring dollars; 1,789,000 for FY10-11 is listed as non-recurring but is denoted in the budget document to be set for allocation in the FY11-12 budget as well. This money is in the DCS budget.

Update on Fostering Connections: Members discussed September 8th memorandum from DCS; the Administration for Children and Families' (ACF) guidance has issued on Fostering Connections, however, at this time DCS is unsure how to proceed with utilization of the 2.2 million dollars allocation. The department contemplated prioritizing 18+ year olds who had yet to complete high school, which would be approximately 90 youth, not fully realizing the federal law requires and the guidance reflects that as states' proceed with extension of foster care to 18 – 21 year olds that adoption assistance and subsidized guardianship support must be likewise extended, and DCS had not accounted for the cost of those extensions.

The department was asked and agreed to develop three (3) plan options for use of the monies available and to forward that to Debbie Gazzaway on or before September 16. Debbie will distribute that information to the 415 distribution list by close of business on 16th. At 9 a.m. (CDT) on September 17th the council members are asked to attend in person or by conference call – call in information and meeting room location will be distributed by Debbie as soon as it's received from DCS – to review and give advisement to DCS on an acceptable utilization plan.

Microsoft Elevate America Community Initiative: Christy Montgomery made the body aware of this initiative and request for proposals. The focus of the initiative is “. . . providing technology skills training, and resources to help people find employment.” Feeling that some organizations represented among the PC415 membership might be eligible and interested in, Christy brings this to the council FYI. Debbie forwarded the document to for distribution to the members.

Self-evaluation of Youth Opportunity Passport Program: Debbie Miller stated that Jim Casey Youth Opportunities Initiative requires an evaluation component for the YOI sites that is based on a review of the surveys each site is required to do periodically of the youth being served. She asked that the PC415 Council serve as the evaluation body and, as such, review and glean relevant information from the youth surveys from the three (3) sites in TN – i.e. Nashville, Knoxville and Memphis. She requested and the body agreed to have a brief training for interested individual provided at the next PC415 meeting which is scheduled for October 14th. Perhaps this training could occur an hour before the scheduled meeting time. More details to follow on this. More information will be given at that time as to when the evaluation review and feedback is to be completed.

Next meeting is October 14th @ 1 p.m. at Tennessee Alliance for Children and Families. 3rd Floor, Conference Room.

No other business coming before the body, the meeting was adjourned at approximately 3:30 p.m. (CDT).

Recommendations for Policy Action and Future Council Activities:

The newly formed Public Chapter 415 Advisory Council is enthusiastically embarking on work to discern, describe and document the realities of Tennessee's AOY population. Spread throughout the preceding pages of this report are important recommendations to address specific areas of need known to exist among AOY, a recap of those recommendations follows.

Functional Inter-personal Relationships

Recommendation 1: Focus the work of and provide guidance to DCS staff working with the AOY population; between ages 14 and 18 emphasize importance and foster development of positive, productive relationships for every youth with a caring, committed adult with the goal that that relationship will continue into early adulthood.

Recommendation 2: Judges and their foster care review boards need to develop and implement strategies to provide specialized inquiry and monitoring of relationship development for older youth that can be executed through the periodic review process; judicial records need to record and documents these efforts.

Housing and Basic Necessities

Recommendation 1: Colleges and universities, especially publicly funded ones, should assess and address the unique housing needs of AOY, including availability for housing and storage during holidays and breaks when dormitories would otherwise be closed. Examine models of service for groups who have extraordinary housing needs during routine times when school is not in session such as international students and athletes.

Recommendation 2: Identify and modify eligibility criteria for subsidized housing programs that inadvertently create barriers to access for AOY.

Recommendation 3: Provide AOY with relevant financial management training and support that includes a specific focus on housing options, both short- and long-term.

Economic Capacity – Education and Job Readiness

Recommendation 1: The state should adopt an explicit goal that no child in state custody will leave state custody with less than a high school diploma or educational equivalent; progress toward this goal should be measured and reported annually.

Recommendation 2: The state should adopt an explicit goal that every youth who ages out of state custody will have the preparation and skills necessary for employment that will earn a living wage.

Recommendation 3: DCS, the Department of Labor and Workforce Development, higher education organizations, vocational and technical education organizations, and other state and federally funded agencies that work with post-secondary education, job training and career development should develop a strategic plan to engage all ages fourteen to eighteen years of age in action-oriented career planning.

Health and Mental Health Care

Recommendation 1: Increasing the number of AOY who complete the TennCare application process at age 18 needs to be accomplished. The PC 415 Advisory Council should work with representatives of the TennCare Bureau to extend the re-application timeline from 30 days to six months. The feasibility of automatic re-enrollment for AOY should also be studied.

Recommendation 2: AOY should be educated through the permanency and transition planning processes of DCS about the life-long importance of wellness-focused, preventive health care, including the importance of maintaining health care insurance.

Recommendation 3: DCS and Department of Mental Health and Developmental Disabilities should continue collaborating around the transition of AOY with mental health diagnoses and therapeutic service needs so that effective, evidence-based care is provided uninterrupted.

Transportation

Recommendation 1: The PC 415 Advisory Council should develop a proposal for the public transportation systems across the state to provide free or reduced fares for AOY and for teenagers in state custody for employment and education purposes.

Recommendation 2: The PC 415 Advisory Council should research laws and policies of other states regarding issuance of driver's licenses. Creative solutions to give foster teens and AOY an opportunity to learn to drive should be developed.

Recommendation 3: The PC 415 Advisory Council should develop a proposal for a no/low interest loan program targeted for AOY; the council should identify potential funders who would consider administering such a loan program.

The advisory council offers these other important, over-arching recommendations at this time, as well. The council is hopefully these recommendations will be beneficial to the legislative and executive decision-makers in the up-coming session and over the next several years.

1. A long-range strategic plan needs to be developed. This plan should address strategies for addressing each of the five domains within which AOY's core needs fall – *Functional Inter-personal Relationships, Housing and Basic Necessities, Economic Capacity, Health and Mental Health Care, and Transportation*. The strategic plan should also address working with all departments of state government identified as appropriate to articulate how those departments' service milieu can be made available to AOY. Resource center development and expansion around the state should also be addressed in the strategic plan.
2. Strategies for improving information content and dissemination processes to AOY in a consistent and efficient manner regarding available services and supports need to be developed and implemented over the next year.
3. The council should utilize information and data forthcoming from the Tennessee Commission on Children and Youth's Resource Mapping Project to understand the breadth and depth of services and supports currently available throughout state agencies.

4. The state should use due diligence in hearing and considering options available through P.L. 110-351, Fostering Connections to Success Act, for expanding post-custody services by drawing down increased federal funds and re-allocating state funds as necessary currently used for this population.
5. The PC 415 Advisory Council should serve as a forum to discover and discuss replication of evidence-based practices, programs and policy approaches in Tennessee that will increase the potential for improving the short- and long-term well being indicators for AOY.

* * *



Select Committee on Children and Youth

June 22, 2010

9:00 a.m. – 12:15 p.m. CDT

South Memphis Alliance (SMA)
1048 S. Bellevue Blvd.
Memphis, TN

- 9:00 a.m. Arrive, Continental Breakfast, Networking
- 10:00 a.m. PC 415 Post-Custody Services Advisory Council
(Conference Call Number will be available to council members)
- ACF Letter, Review and Approve
 - Advisory Role for Jim Casey Youth Opportunity Initiative
 - Legislative Update
- 11:00 a.m. Lunch and Presentation
First Chance Initiative: New Opportunities for Youth
Aging Out of Foster Care
Reginald Milton and Karen Morgan, South Memphis Alliance
Lane Simpson and Melinda Hays, DCS, Interdependent Living
Program

Council on PC 415
June 22, 2010
South Memphis Alliance, Memphis, TN
9 a.m.

Meeting Summary

Participant List:

- See attached sign in sheet

Legislators in attendance:

Sen. Marrero
Sen. Gresham
Rep. S. Jones
Rep. J. Deberry
Rep. Richardson

Welcome and Introductions

Approval of Letter (postponed—no vote)

-Update data and get language from Nyasha on judicial oversight.

Federal Legislation is to take effect October 1, 2010. Letter needs to encourage federal interagency cooperation/collaboration.

Cindy reported on legislation that passed this year and funding that was appropriated.

Rep. DeBerry stressed the importance of the state funding what works as the Budget gets tighter. Pointed out concern that youth need to have so much say in their own plan.

Public Chapter 415 Post Custody Services Advisory Council

Monday, March 1, 2010

- Welcome, Introductions

- Approval of Summary of Last Meeting

- Comments from Guests with National Youth Voice

- Youth Voice

- Updates:
 1. Workgroups Reports – Chairs and Stephanie
 2. Walk a Mile Program – Stephanie
 3. Contacts with other agencies for participation – Kim
 4. Legislation – Cindy, Debbie, Lane

- Workgroup Meeting Time

- Future Meetings – Dates and Locations

Council on Public Chapter 415
March 1, 2010
10 a.m.-2 p.m.
Tennessee Alliance for Children and Families

Participant List:

Debbie Miller
Deneise Ferguson
Lacy Kendrick
Lane Simpson
Clay Finck
Rob Mortenson
Steve Petty
Nyasha Justice
Wanda Donnelly
Rekeisha Bryant
Millie Sweeney
Cheri Hoffman
Mary Lee
Sumita Banerjee
Pam Cash
Darci Halfman
Mandy Lewis
Melissa Canterbury
Ellyn Wilbur
Linda O'Neal
Sherry Jones
Stephanie Millard
Cindy Perry
Debbie Gazzaway
Rep. Sherry Jones
Kim Crane Mallory

Summary of Minutes:

Welcome and Introductions
Approval of Minutes

National Resource Center Youth Development—training. Older adolescents in care. Any type of issue program improvement. 5 year grants offered.

Need to implement data programs to see how to collect data. Gather data from youth after they leave care. Need to engage youth after they leave.

Update-Walk a Mile Program. TACF political partner/leader. Nyasha stated possible funding option. TCCY might offer shadowing opportunity. 36 states-\$1500 match. AOC could ask for them to come do training.

Youth voice—FCB youth need to be involved. Millie—youth MH groups involved too.

NYTD—rules passed/approved. States required to gather info, but you not required to give it. 2010 Survey starts

Use foster care month as opportunity to educate about NYTD.

Message to federal officials:

1. Chaffee allocation is on total foster care population; we'd like it to be on adolescent population.
2. JJ kids need to be eligible

Do the vignettes give youth voice? CCMH had youth voice at 2.25 meeting. DCS/AOC have youth voice at FCRB trainings.

HB 3114/SC3101:

Changes could limit re-entry. Stipend or supervised living setting?

Have to leave case open; no contact.

Trial home visit—6 months

Evaluation component

Type of care: Dormancy or suspended custody

HOUSE BILL 3114

By Jones S

AN ACT to amend Tennessee Code Annotated, Title 37,
relative to extension of foster care services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 2, Part 4, is amended by adding the following as a new section:

§ 37-2-417.

(a) Foster care services shall be available on a voluntary basis to any person who is at least eighteen (18) years of age but less than twenty-one (21) years of age, who was in the custody of the department at the time of the person's eighteenth birthday and who is:

- (1) Completing secondary education or a program leading to an equivalent credential;
- (2) Enrolled in an institution which provides post-secondary or vocational education;
- (3) Participating in a program or activity designed to promote, or remove barriers to, employment;
- (4) Employed for at least eighty (80) hours per month; or
- (5) Incapable of doing any of the activities described in subdivisions (a)(1) through (a)(4) due to a medical condition, including a developmental or intellectual condition, which incapability is supported by regularly updated information in the permanency plan of the person. In such a case the person shall be in compliance with a course of treatment as recommended by the department.

(b) Foster care services shall also be available to any person who meets the requirements of subsection (a) but refused such services at the time of the person's eighteenth birthday if at any time the person seeks to regain foster care services prior to the person's twenty-first birthday.

(c) Any financial assistance available to foster children, foster parents, permanent guardians or adoptive parents shall also be available to any person who is in the custody of the department pursuant to this section and the foster parents, permanent guardians or adoptive parents of that person.

SECTION 2. Tennessee Code Annotated, Section 37-1-102(b)(4), is amended by deleting subdivision (b)(4)(C) in its entirety and by substituting instead the following:

(C) A person over seventeen (17) years of age and under twenty-one (21) years of age for the limited purpose of remaining under the continuing jurisdiction of the juvenile court for purposes of the voluntary extension of foster care services, pursuant to § 37-2-417. For all other purposes, a person eighteen (18) years of age or older shall be considered an adult.

SECTION 3. Tennessee Code Annotated, Section 37-1-103(a), is amended by adding the following as a new subdivision:

(7) Proceedings arising under § 37-2-417;

SECTION 4. Tennessee Code Annotated, Section 37-1-103(c), is amended by deleting the language "§ 37-1-102(b)(4)(B) until the person reaches the age of nineteen (19)" and substituting instead the language "§ 37-1-102(b)(4)(B) until the person reaches the age of nineteen (19) or in § 37-1-102(b)(4)(C) until the person reaches the age of twenty-one (21)".

SECTION 5. The commissioner of children's services is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 6. This act shall take effect July 1, 2010, the public welfare requiring it.

Amendment No. _____



Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 3101

House Bill No. 3114*

by deleting the effective date section and by substituting instead the following:

SECTION _____. This act shall take effect January 1, 2011, the public welfare requiring it.



Amendment No. _____



Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 3101

House Bill No. 3114*

By deleting subsection (b) in the amendatory language of Section 1 of the bill in its entirety and substituting instead the following:

(b)

(1) Foster care services shall also be available to any person who meets the requirements of subsection (a) but refused such services at the time of the person's eighteenth birthday if at any time the person seeks to regain foster care services prior to the person's twenty-first birthday.

(2) The case of any person who meets the requirements of subsection (a) but refuses such services shall remain open with the department until the person reaches twenty-one (21) years of age. During such time, the department shall not have any additional duties with regard to contacting or monitoring such person.



Work Plan: Federal Legislation Work Group

Work Group Members:

Name	Agency	Email
Mary Lee	Youth Villages	Mary.lee@youthvillages.org
Stephanie Millard	SCCY	Stephanie.l.millard@vanderbilt.edu
Cheryl Hultman	TN CASA	tncasa@bellsouth.net
Rob Mortensen	TN Alliance for Children & Families	Rmortensen@TNchildren.org
Linda O'Neal	TN Commission on Children & Youth	Linda.oneal@tn.gov

Recommendation #1: The State should use diligence in hearing and considering options available through P.L. 110-351, Fostering Connections to Success Act, for expanding post-custody services by drawing down increased federal funds and re-allocating state funds as necessary that are currently used for this population.				
Measure of Success:				
Youth Engagement:				
Objective 1: Define Judicial Oversight for TN				
Resources/information needed to achieve objective:				
Activity	When due	Who is Responsible	Measure of success	Status
Gather more information about the National CASA pilot program "Fostering Futures"		Cheryl		
Look at current Foster Care Review Boards and how we can adding support people that the young person identifies	Feb. 11 th	Sumita, Rob		

Look at best practices being utilized by other states		Group			
Meet with TN Administrative Office of the Courts					

Objective 2: Define Supervised Independent Living Arrangement

Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status
Take a look at CWLA Standards and other best practices		Group		
Letter to ACF (to influence the definition)		Group		

Objective 3: Provide the State all necessary data and information to allow them to diligently consider option available through Fostering Connections.

Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status

Economic Capacity
Work Plan: Relationships-Work Group

Work Group Members

Name	Agency	Email
Christy Montgomery	TN Dept. of Labor and Workforce Dev.	Christy.montgomery@tn.gov
Steve Petty	DCS	Steve.petty@tn.gov
Sumita Banerjee	TN Commission on Child. & Youth	Sumita.banerjee@tn.gov
Rokeisha Bryant	Oasis Center	rbryant@oasiscenter.org
Mary Lee	Youth Villages	Mary.lee@youthvillages.org
Pam Cash	TN Youth Connections	pamelacash@tnyouthconnections.net
Kim Crane Mallory	Gov. Office of Child Care Coordination	Kim.crane.mallory@tn.gov

Recommendation #1: The State Should adopt an explicit goal that no child in state custody will leave state custody with less than a high school diploma or educational equivalent; progress towards this should be measured and reported annually

Measure of Success:

Youth Engagement:

Objective 1: Concern over language "No Child"

Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status
Discuss/ recommend		group		

Objective 2: Tracking Number who leave state custody w/ GED or High school diploma

Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status
Check w/ Lane Simpson		Kim & Sumita		Some data available, but only for Brian A. Youth
Data on AOY by region/ county: check w/ Lane		group		

Objective 3: Fast Track Programs
Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status
Identify Fast Track programs		group		

Objective 4: Address difficulty of records transfer
Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status
Meet w/ DCS Educational Specialsit		Rokeisha		Guest at last meeting
Policy analysis of Fostering Connections, Mckinney Vento		Kim & Sumita		Work in progress
Identify contact TN Dept. Education		group		Contact made
Policies in TDE regarding records transfer		Steve		

Recommendation #2: The state should adopt an explicit goal that every youth who ages out of state custody will have the preparation and skills necessary for employment that will provide a living wage

Measure of Success:

Youth Engagement:

Objective 1: Discussion

Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status
Questions regard current practice				
Training curriculum for foster parents on importance?				

Objective 2:

Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status

Objective 3:

Resources/information needed to achieve objective:

Recommendation #3: DCS, the Department of Labor and Workforce Development, higher education organizations, vocational and technical education organizations, and other state and federally funded agencies that work with post secondary education, job training and career development should develop a strategic plan to engage all foster youth ages 14 to 18 years of age in action-oriented career planning

Measure of Success:
Youth Engagement:

Objective 1: Flow Chart of Services
Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status
Is there a flow chart? Need to make one?				

Objective 2:
Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status

Objective 3:
Resources/information needed to achieve objective:

Work Plan: Health/Mental Health Work Group
Updated: February 24, 2010

Work Group Members

Name	Agency	Email
Cheri Hoffman, Chair	CRI	cheri.hoffman@centerstoneresearch.org
Melinda Hayes	JCYOI/DCS	melindab@tds.net
Pamela Cash	Monroe Harding	pamelacash@myyouthconnections.net
Lane Simpson	DCS	lane.simpson@tn.gov
Millie Sweeny	Tennessee Voices for Children	msweeney@tnvoices.org
Deniece Ferguson	Oasis Center	dferguson@oasiscenter.org
Richard Edgar	TDMHDD	richard.edgar@tn.gov
Mandy Lewis	DCS/Juvenile Justice	amanda.lewis@tn.gov
Kim Crane Mallory	Governor's Office of Children's Care Coordination	kim.crane.mallory@tn.gov
Lyn Stuart	United Neighborhood Health Services	Nubian22@aol.com
Karen Morgan	South Memphis Alliance	morgan@smaweb.org
Ellyn Wilbur	TAMHO	ewilbur@tamho.org
Mark Wolf	K-Town Youth Empowerment Network	mwolf@tnvoices.org

Activity	When due	Who is Responsible	Measure of success	Status
Contact Rachel Krauss with TennCare Select	1.7.10	CH		Emailed & replied – RK willing to help but no authority; suggested contacting MB Franklin; RK joined subcommittee as of 2/23/10
Contact Mary Beth Franklin	1.15.10	LS		Contacted Mary Beth and revisited the issue of TennCare for youth automatically. She has discussed the issue with TennCare. They had actually added it to the budget last year but it was taken out on review. Scott Pearce has the information and states that the reason

Objective 2: Research model programs for mental health care to this transition-age population

Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status
Contact John Page with Centerstone about programs that provide cross-over case managers for kids transitioning to adult services	1.8.10	CH		Contacted John Page, no response Emailed again 2/24/10
Ask representative from UNHS to join subcommittee conversations	1.15.10	PC		Mary Bufwack joined 1/26/10 conference called and shared information about new East Nashville clinic opening; Lyn Stuart will be joining this subcommittee officially; Lyn Stuart attended 2/23/10 meeting
This committee will support UNHS new East Nashville clinic as much as possible and work to identify them as a model program and look for opportunities to expand statewide	ongoing			
Learn about the MH/DOE grant program with Nicole Cobb – ask for a presentation to this subcommittee	2.19.10	CH		Nicole Cobb presented to subcommittee on 2/23/10
Connect with the Transitional Youth Task Force	2.5.10	CH		Cheri Hoffman reported to TYTF at 2/16/10 meeting
Ask Mary Beth Franklyn to attend the next meeting of this workgroup to share all information about BHO's in the state	2.19.10	LS		MB will join the next subcommittee meeting to share pertinent information

Objective 3: Develop a training for Juvenile Justice about the mental health services available in the regions for AOY

Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status
Contact Rob Mortenson to see where council is on developing resource guide	2.19.10	CH		Guide is in discussions, per email from Rob M.
Look into developing the training for the YDC's	2.19.10	ML		
Contact Oasis Center about the guide they developed regarding youth services several years ago	3.20.10	CH		Will ask Deniece Ferguson to follow up

Work Plan: Housing Sub-Committee, PC 415
Updated: 2/26/10

Work Group Members

Name	Agency	Email
Steve Petty	TCCY	Steve.petty@tn.gov
Darci Halfman	Monroe Harding	darcihalfman@monroeharding.org
Melissa Canterbury	Agape	Melissa.c@agapemeanslove.org
Deniece Ferguson, chair	Oasis Center	dferguson@oasiscenter.org

Recommendation #1: Assure that all DCS regions know and utilize the Homelessness Prevention and Rapid Re-Housing (HPRP) Program made available through the American Recovery and Reinvestment Act of 2009- federal stimulus funds. These funds are time limited-program started October 2009 and 60% of funds must be spent within 2 years, and 100% must be spent within 3 years. The State of Tennessee was allocated \$13,467,433.

Measure of Success: DCS (and it's contractors) will report an increase in youth transitioning out of care to short term housing (up to 3 months) and medium term housing (4 to 18 months) using housing relocation and financial assistance from HPRP.

Youth Engagement: Share resource with youth in transition and ask them to put links on their social networking sites (i.e. FaceBook, My space etc.)

Objective 1: Identify grantees in each region. See attached TN Resources for HPRP Resources/information needed to achieve objective:

Activity	When due	Who is Responsible	Measure of success	Status
Research HPRP grantees	2/26/10	DF		Completed

Recommendation #2: Evaluate feasibility of temporary IL housing options across the state, i.e. state facilities that are under-utilized such as TPS in Davidson County.

Measure of Success: Rule out under-utilized state facilities as viable options for temporary IL housing.
Youth Engagement:

Objective 1: Ask regions to identify state facilities that are under-utilized, i.e. have the capacity to be used as temporary IL housing/housing for homeless populations.

Resources/information needed to achieve objective: Regional contacts.

Activity	When due	Who is Responsible	Measure of success	Status
Regional contacts to identify state facilities for evaluation.	Next mtg			Incomplete

Advisory Council on Public Chapter 415
Department of Labor and Workforce Development
220 French Landing Drive Nashville TN 37243
January 11, 2010
10 a.m.-2:00 p.m. (CDT)

Agenda

Welcome, Introductions

Approval of Minutes

Update from The Finance Project on Feasibility of Extending Foster Care to Age 21

Discussion of Proposed Legislation for 2010 Legislative Session

Recommendations to Administration for Children and Families at HHS Rule and Regs on Fostering Connections:

- (1) judicial oversight of 18-21 year olds who stay in custody
- (2) the definition of "supervised living arrangement".

Update on Workgroups

Other business

Council on Public Chapter 415
January 11, 2010
10 a.m.-2 p.m.

Meeting Summary

Minutes Pending Approval of Council on March 1, 2010

Participant List:

Cindy Perry
Debbie Gazzaway
Debbie Miller
Rep. Sherry Jones
Cheryl Hultman
Rob Mortensen
Sumita Banerjee
Steve Petty
Christy Montgomery
Rokeisha Bryant
Pam Cash
Darci Halfman
Stephanie Millard
Cheri Hoffman
Lane Simpson
Mary Lee
Melissa Canterbury
Kim Crane Mallory
Sen. Beverly Marrero
Tami Walker
Steve Petty
Deneise Ferguson
Millie Sweeney
Melinda Hays
Raquel Pfeifer (JCYOI)
Barbara Langford (Finance Project)
Kate Gaughen (Finance Project)

Welcome and Introductions (Cindy Perry).

Approval of Minutes

Group Discussion

- Introduction of Stephanie Milliard as SCCY Intern for Spring. Stephanie is to help coordinate workgroups and assist them with group outline over the next months.
- Jimmy Wayne Update on Meet Me Halfway walk for Foster Youth.
- Walk a Mile Program. Stephanie to follow up on

- CAD Update...March 9 and 10, 2010
- Finance Project Update.
Sharing of draft report by task force. Net fiscal impact of extending care to 21:
Design questions. What does it look like?
-Eligibility
-Case Management
-Placement Settings
-Judicial Oversight
Needs to be voluntary. Trial discharge and re-entry needs to be available.
Fiscal impact: 3 areas/ 3 projections (see colored handouts from Finance Project)
- Legislation. What do we do?
Will be introduced. We need stats on how to save money by saving lives.
Sen. Marrero will introduce legislation that will favor foster kids in the housing market.
- Need to hold public forums across the state—perhaps this summer
- May is Foster Care Month. Need to do PR for aging out at this time.
- Kent Berkley has 4 thoughts that needed to be considered over legislation
 1. Need to be a hybrid approach to legislation
 2. 18 yr. old legal for all other purposes
 3. Court oversight such as in Illinois
 4. Extend permanent subsidies as in Texas
- What do we need:
 1. Supervision? Foster Care Review Boards/Mentor Service Provider or case-manager to follow
What is the basic level of supervision that is needed?
 2. Threshold: what minimum level does there need to be?
- Visitation...less than monthly? Face to face visits? Federal law says it must happen monthly. This does not happen here. It is now quarterly.
- Cheri to look at cost analysis in other states and national average.

Fiscal Analysis of Extending Foster Care to 21 in Tennessee

Recent research clearly demonstrates improved outcomes for young people who stay in foster care past the age of 18.¹ Young people who remain in care are significantly more likely to attend college and as a result, experience long-term financial benefits on lifetime earnings. Moreover, young people who remain in care past the age of 18 are less likely to become pregnant as teens, more likely to receive independent living and health services that support their transition to adulthood, and more likely to develop and maintain critical connections to family and community. A recent Chapin Hall study concluded that the financial benefits of extending foster care—both for individual youth and for society—outweigh costs to government by a factor of approximately 2 to 1.² Longer-term, states that invest in extending foster care past the age of 18 can expect to see a decrease in the use of public assistance, homelessness services, and incarceration among youth that age out of foster care.

Although the benefits of extending foster care past the age of 18 are clearly documented, in practice, few states allow young people to remain in care, largely due to the fact that federal reimbursement for placement, maintenance and administrative costs ended when a young person turned 18.³ The passage of the Fostering Connections to Success and Increasing Adoptions Act of 2008 now gives the states the option to extend Title IV-E eligibility for young people ages 18 to 21. States are able to receive federal reimbursement for qualifying young people under three IV-E programs:⁴

1. Foster Care Maintenance: for young people who remain in foster care placements;
2. Adoption Assistance: for young people adopted at age 16 or older through their 21st birthday; and
3. Guardianship Assistance: for youth that enter into relative guardianship at age 16 or older through their 21st birthday.⁵

The Fostering Connections Act presents a particular opportunity for states like Tennessee that have invested in significant supportive services for young people beyond age 18 using state funds. Programs funded with state and/or federal Chafee funds, such as Voluntary Post-Custody Services, that provide support for case management and placement costs have the potential to now be covered in part through federal IV-E reimbursement, thereby freeing up funds for re-investment in supports for older youth.

In response to the opportunities presented by the Fostering Connections Act, the Tennessee Department of Children's Services created a taskforce to assess the fiscal implications of extending foster care to 21. This taskforce was staffed by The Finance Project

¹ [Extending Foster Care to Age 21](http://www.chapinhall.org/sites/default/files/publications/Issue_Brief%2006_23_09.pdf). Clark M. Peters, Amy Dworsky, Mark E. Courtney, Harold Pollack
http://www.chapinhall.org/sites/default/files/publications/Issue_Brief%2006_23_09.pdf

² Ibid.

³ Prior to the Fostering Connections Act, federal reimbursement was limited to eligible young people under the age of 18 and those who are likely to graduate from high school or an equivalent program by their 19th birthday.

⁴ Title IV-E eligible foster youth age 18 and older must be either completing high school or an equivalent program; enrolled in post secondary or vocational school; participating in a program or activity designed to promote, or remove barriers to, employment; employed for at least 80 hours per month; or incapable of doing any of these activities due to a medical condition.

⁵ Fostering Connections created a new category of eligibility placement – the Guardianship Assistance Program. States have the option of claiming reimbursement for qualifying children and youth placed with a relative guardian. States can choose to also extend eligibility for these placements to older youth as well.

with support from the Jim Casey Youth Opportunities Initiative. The work of the Taskforce included the following key steps:

1. Reach agreement on key design considerations of what foster care to 21 would look like in terms of case management, placement settings, and judicial oversight;
2. Map current investments in older youth currently in and transitioning from foster care with an eye to identifying those funding programs with potential cost savings (those expenses that could be IV-E reimbursable);
3. Develop cost estimates of extending IV-E eligibility based on design considerations;
4. Develop projections of the net fiscal impact of extending foster care to 21 in Tennessee based on the cost assumptions, potential state savings, and expected new IV-E revenue.

The Taskforce met during several in-person meetings and through working conference calls between August and December 2009. This report summarizes the decision making and recommendations of these efforts.

Design of Foster Care to 21

A first step in this process was to develop a clear set of agreed-upon design assumptions regarding what foster care to 21 would look like should state leaders choose to extend IV-E eligibility. Based on the work of a design subcommittee with review by the full group, the Taskforce created the following set of design assumptions.

Eligibility

- Any young person who is in care **on the last day of their 17th birthday** and **meets the Fostering Connections federal requirements** is eligible to remain in foster care until their 21st birthday, including youth in the juvenile justice system. The Fostering Connections requirements include:
 - Completing secondary education or in a program leading to an equivalent credential;
 - Enrolled in an institution that provides post-secondary or vocational education;
 - Participating in a program or activity designed to promote, or remove barriers, to employment;
 - Employed for at least 80 hours per month; or
 - Have a medical condition that renders the young person incapable of engaging in any of these activities.

After age 18, youth involved in the juvenile justice system will no longer be placed in juvenile detention facilities (which are not IV-E reimbursable). As such, these young people's Title IV-E eligibility should be re-determined and many will likely meet the requirements for Title IV-E reimbursement.

- Young people will **have the choice to opt-in** to foster care at age 18. Young people who choose to remain in foster care past age 18 will have the choice to opt-out of continued custody anytime thereafter.

- If a young person chooses to opt-out of continued custody on their 18th birthday or anytime thereafter, the young person will enter a **trial discharge status**, which is similar to Tennessee's current "trial home visit". During the trial discharge, the state will retain formal custody of the young person and will provide basic case management services, but will no longer provide foster care maintenance (room and board). At the end of the trial discharge period, the youth will have the option either to return to full custody status or to opt-out of foster care. Youth that opt to remain in custody will remain eligible for Title IV-E reimbursement.
- Young people ages 21-24 will have access to short-term, post-custody services through the Transitional Living Program.

Case Management

- **Permanency** will continue to be a focus of case management services after young people turn 18. When appropriate, case managers will continue to encourage reunification, guardianship, and adoption through a young person's 21st birthday. Permanency options, including the development of lifelong connections, will continue to be discussed in case planning.
- Case management requirements will **reflect the requirements of federal mandates**, including monthly visitation, the development of bi-annual case plans, and the development of the 90-day transition plan.

Placement Settings

- Placement decisions should be made **in partnership with the young person** and the placement should represent the least restrictive option based on the level of maturity and functioning of the young person.
- Placement settings that will be available to youth ages 18-21 include traditional and therapeutic foster care, group care, and child care institutions. The state will also support the creation of a network of **supervised independent living settings** (including college dormitories and supervised apartment settings) based current models available in the state.
- When appropriate, **young people should have the option to pursue reunification** with their family. As such, the "trial home visit" option should remain open to youth ages 18-21 in foster care.

Judicial Oversight

- **Foster Care Review Boards** (FCRB) will be implemented statewide and will review the cases of youth over age 18 every six months. The state will explore implementing specialized FCRBs to review the cases of older youth and consider organizing those specialized FCRBs around judicial districts rather than by county. Finally, recent alumni of foster care will be recruited to participate on specialized FCRBs.
- **Annual permanency hearings** by the courts will focus on reviewing and certifying the recommendations of the Foster Care Review Boards. Youth and case managers will not be required to attend annual court hearings.
- Youth **will not be provided with GALs or other legal representation** as they will not be required to appear in court.

Potential Sources of Revenue - Current Spending on Youth People Currently In and Transitioning from Foster Care

Tennessee currently makes significant investments in supports and services for older youth currently in and transitioning from foster care. The Taskforce considered those funding sources that support maintenance, housing, and case management functions which have the potential to be IV-E reimbursable.

1. Voluntary Post-Custody Services

Voluntary Post-Custody Services allow young people to have continued access to housing and case management services through age 21 as long as youth sign the voluntary post-custody agreement and are enrolled in postsecondary education or a valid job training program. Voluntary Post-Custody Services require at least two contacts per quarter (either face-to-face or by phone) and an annual update of the Interdependent Living Plan. In 2008, 275 young people were served in Voluntary Post-Custody Services with total funding of approximately \$2.5 million. Approximately 50% youth served were 18, 30% were 19, and 20% were 20. The state funds this program through a combination of federal Chafee funding (\$2,037,991) and state funds (\$509,498).

2. Current State Foster Care Placement and Administrative Spending

In FY 07-08, Tennessee spent a total of \$211.4 million on placement costs for all children and youth in care, including both dependency and juvenile justice cases. Of this total, \$73.75 million was spent on placement costs for young people aged 14 and older, including \$4.73 million on young people age 18 who are on track to earn their high school diploma or GED prior to their 19th birthday. The state current spends approximately \$1 million in state match on IV-E maintenance and administrative costs for those young people.

In total, Tennessee currently spends approximately \$3.5 million in state and Chafee funds on maintenance and case management-related expenditures for 18 to 21 year olds.

Existing Sources of Revenue – SFY07-08

Programs and Services	Federal Chafee Funding	State Funding
Voluntary Post-Custody Services	\$2,037,991	\$509,498
State share of Title IV-E maintenance and administrative costs for 18 to 21 year olds		\$946,392
Subtotal	\$2,087,991	\$1,455,890
Grand Total	\$3,543,881	

In addition, the state also funds Transitional Living and Independent Living Services. The **Transitional Living Program**, funded at approximately \$1.2 million in state funds, provides voluntary, short-term post-custody services for youth between the ages of 17-24. Services typically last no longer than nine months, and – in limited circumstances - youth may access services more than once. In 2009, Transitional Living Services served 452 young people for an

average cost of \$2,565 per youth. The number of young people served by Transitional Living Services has continued to grow since the program's inception in 2007. The state also allocates \$50,000 from its Chafee funding to support **Independent Living Services** which primarily provides life skills training for young people ages 14-17. The Taskforce recommended that the Transitional Living Program continue in its current form to provide support for the 21 to 24 population and that Independent Living Services would also continue to be provided under the current program. Therefore, funds supporting these two programs were not included as potential sources of revenue to offset costs of extending IV-E eligibility.

Projections of the Net Fiscal Impact of Extending IV-E Eligibility to 21

Based on the design work the Taskforce completed and the review of current state spending on young people 18 to 21, The Finance Project worked with DCS staff to develop cost projections and determine the net fiscal impact of extending IV-E eligibility to 21. States have the option to extend eligibility for three separate Title IV-E programs: foster care maintenance, adoption assistance, and guardianship assistance. Extending foster care eligibility while not extending support for adoption and guardianship can create disincentives to permanency. To ensure permanency remains a critical priority for older youth in foster care, the Taskforce recommended including extending eligibility across all three IV-E program areas in this analysis.⁶

The Finance Project worked with DCS Interdependent Living and budget staff to gather trend data to project the number of young people accessing these supports and the distribution of those youth across placement types and develop detailed cost assumptions related to placement and case management costs. These data were used to estimate the net fiscal impact to Tennessee, taking into account existing state spending as well as projected new federal revenue, over the next five years.

De-linking Title IV-E Eligibility for Adoption Subsidy from AFDC

The Fostering Connections Act de-linked eligibility for adoption subsidies from old AFDC income standards and phases in this change over time. Moving forward, more children and youth will be eligible to receive this subsidy, thereby increasing IV-E revenue to the state. Based on an analysis of adoption trends over the past five year, Tennessee can expect to see a sizable increase in Title IV-E revenue as a result of de-linking eligibility for IV-E reimbursement from AFDC requirements for adoption subsidy. By 2015, Tennessee can expect to see approximately \$2 million new dollars coming into the state. New revenue must be reinvested in child welfare services and as assumed in this analysis, has the potential to offset costs associated with extending eligibility to 21.

De-linking Title IV-E Eligibility for Adoption Subsidy from AFDC Standards

	2010	2011	2012	2013	2014	2015
Estimated Annual New Title IV-E Revenue	\$157,834	\$437,124	\$688,091	\$1,090,820	\$1,566,518	\$1,971,433

⁶ Based on its success with a Title IV-E waiver, Tennessee has already notified the Children's Bureau of its intention to implement Guardianship Assistance Program for children and youth ages 0-17.

Extending Adoption Assistance to Age 21

Over the past five years, Tennessee has averaged 1225 adoptions per year, approximately 7% of which involved 16 and 17 years olds. Based on that history, and the expected continued success of DCS in placing older youth in adoptive homes, The Finance Project projected that 7% of the 16 to 21 population would achieve adoption annually and would be eligible for adoption subsidies of \$714.60 per month⁷ and non-recurring expenses up to \$1500. Costs to extend adoption assistance are relatively modest in early years of implementation (beginning at around \$200,000 in 2011) and grow and then level out through 2015.

Fiscal Impact of Extending Adoption Assistance to Age 21

	2011	2012	2013	2014	2015
Estimated Cost	\$689,640	\$1,910,569	\$3,248,803	\$3,829,414	\$4,009,986
Estimated Annual Title IV-Revenue	\$446,758	\$1,247,886	\$2,128,638	\$2,510,970	\$2,629,877
Net State Fiscal Impact	\$242,882	\$662,683	\$1,120,165	\$1,318,444	\$1,380,109

Extending Guardianship Assistance to 21

DCS has already planned to implement a Guardianship Assistance Program for children 0 to 17 based on its success in creating a program under its IV-E Waiver. Given that program was already supported by IV-E funds under the waiver, The Finance Project assumed the program would be cost neutral for those children under 18. To determine the costs of extending eligibility for guardianship assistance for young people up to age 21, The Finance Project reviewed data on the number of 16 and 17 year olds who exited care to guardianship placements since the creation of the program in 2007 and assumed a relatively constant pattern over the next five years with 35 young people age 16 to 17 and 15 young people age 18 to 20 exit to guardianship annually. The monthly guardianship subsidy rate is expected to be equal to the average monthly adoption subsidy rate of \$714.60 per month⁸; families also receive reimbursement for up to \$1500 in non-recurring expenses. Costs to extend guardianship assistance are modest, ranging from under \$300,000 in 2011 to under \$600,000 in 2015.

Fiscal Impact of Extending Guardianship Assistance to Age 21

	2011	2012	2013	2014	2015
Estimated Cost	\$425,534	\$798,384	\$828,419	\$861,696	\$895,264
Estimated Annual Title IV-Revenue	\$144,931	\$268,600	\$278,894	\$289,600	\$300,734
Net State Fiscal Impact	\$280,603	\$529,784	\$550,525	\$572,096	\$594,530

⁷ Costs include a projected 4% increase in subsidy levels annually.

⁸ Costs include a projected 4% increase in subsidy levels annually.

Extending Foster Care to 21

Projecting the costs of extending IV-E eligibility for the foster care maintenance program involved a more complex set of calculations. Total costs can vary significantly based on different sets of assumptions related to the projected number of young people who opt to remain in care and the distribution of those young people across placement settings. Cost projections also necessarily need to take into account capacity constraints of various placement options – for example, the number of new foster families the state can expect to recruit. Based on the design considerations created by the Taskforce (described earlier in this report), and at the request of the Taskforce, The Finance Project created cost projections for three different sets of assumptions.

General Cost Assumptions

All three versions assume that all young people, whether they are adjudicated as dependent/neglected/unruly or delinquent, are eligible for extended foster care.⁹ All three versions also assume the same general cost assumptions related to case management and administration described in the table below. The table also includes costs associated with various placement settings, including family-based foster care, group care, and supervised independent living settings.¹⁰

Case Management and Administrative and Management Costs	<ul style="list-style-type: none"> • caseload ratio of 1:25 • salary of the caseworker, supervisor and team coordinator • overhead costs of \$15,000 per staff member and • administrative costs of \$11,471 per staff member
Placement Costs	<p>Family-Based Foster Care</p> <ul style="list-style-type: none"> • Private provider: \$1455 per month • DCS: \$715 per month • Assumes a 4% increase annually <p>Group Care</p> <ul style="list-style-type: none"> • \$3703 per month • Assumes a 3% increase annually <p>Supervised Independent Living Setting</p> <ul style="list-style-type: none"> • \$1200 per month • Assumes 3% increase annually

⁹ Approximately 26% of all young people in Tennessee's foster care system are adjudicated delinquent and 74% are adjudicated dependent/neglected/unruly (D/N & U). As such, costs of extending foster care to only those youth adjudicated as D/N & U are approximately 74% of the cost calculated in each version.

¹⁰ A supervised setting in which a young person is living independently is a new category of eligible placement created by the Fostering Connections Act. Federal guidance defining what constitutes this placement is not yet available. The Finance Project used the cost of operating the Monroe Harding Independent Living Program at full capacity to estimate the placement costs of Supervised Independent Living. Monroe Harding provides relatively intensive services to young people in the Independent Living Program. It is not expected that every young person in a supervised independent living setting will require such an intensive level of services. As such, the \$1200 monthly placement cost represents a conservative estimate.

General Revenue Assumptions

In addition to calculating the costs of extending foster care to 21, The Finance Project also included available revenue to determine the net fiscal impact. The primary revenues included new estimated Title IV-E revenue as a result of the Fostering Connections Act and as described earlier, current state spending for Title IV-E match for young people that remain in care to finish secondary education, federal Chafee dollars already being expended on Voluntary Post-Custody Services for young people 18-21, and state revenues already being expended on Voluntary Post-Custody services young people 18 -21.

Sources of Revenue	
Voluntary Post-Custody Services	\$2,037,991 (Chafee) \$509,498 (state)
State share of Title IV-E maintenance and administrative costs for 18 to 21 year olds	\$949,392 (state)
New IV-E Revenue	Varies depends on placement and utilization rate assumptions

Version 1: Utilization Rates of 70%; Limited Use of Supervised Independent Living Settings

The first version of cost projections assumes the following:

- **Uptake rates:** 70 percent of 18 year olds, 30 percent of 19 year olds and 10 percent of 20 year olds choose to remain in or re-enter care. This assumption was created based on the historic utilization rate of this population remaining in care to finish their high school diploma or GED, enrolling in Voluntary Post-Custody Services, or accessing the Transitional Living Program.
- **Placement setting mix:** assumes the current distribution across the settings of family-based foster care and group homes. Given the challenges of recruiting new foster families, it assumes that the growth in use of family-based foster care would occur through private providers (at private provider rates). It also assumes that 20 supervised independent living placements slots could be created annually.

Costs based on these assumptions begin at \$3.2 million in 2011, grow through the first three years of implementation, and then even out in later years at \$7.2 million in 2015.

Version 1: Fiscal Impact of Extending Foster Care to 21

	2011	2012	2013	2014	2015
Estimated Costs	\$10,445,580	\$15,216,596	\$16,032,861	\$16,677,158	\$16,481,167
Estimated Revenues					
New Title IV-E	\$3,706,567	\$5,586,626	\$5,684,474	\$5,892,758	\$5,821,652
Existing State Allocations	\$1,455,890	\$1,455,890	\$1,455,890	\$1,455,890	\$1,455,890
Existing Chafee Allocations	\$2,037,991	\$2,037,991	\$2,037,991	\$2,037,991	\$2,037,991
Total Revenues	\$7,200,448	\$9,062,507	\$9,178,355	\$9,386,639	\$9,315,533
Net State Fiscal Impact	\$3,245,132	\$6,336,090	\$6,854,505	\$7,290,519	\$7,165,634

Version 2: Expanded Use of Supervised Independent Living Settings

The second version of cost projections assumes the same utilization rate and use of private providers to support the growth of family-based foster care placements. However, this version includes expanded use of supervised independent living setting placements, assuming that capacity in the field can grow to meet this demand. In this version, 50 slots are shifted from family-based foster care contracted through a private provider and group care to supervised independent living settings in FY 2011 and an additional 100 slots are shifted in each of FY 2012 and 2013. A total of 250 young people would be independent living settings by 2013. As this placement setting is significantly less expensive than privately-contracted family-based foster care and group care, compared with Version 1, expected costs decrease from \$3.2 million to \$2.9 million in FY2011 and more significantly in later years (from \$7.2 million to \$5.4 million in FY 2015).

Version 2: Fiscal Impact of Extending Foster Care to 21

	2011	2012	2013	2014	2015
Estimated Costs	\$9,948,348	\$13,329,114	\$13,450,602	\$13,624,111	\$13,777,231
Estimated Revenues					
New Title IV-E	\$3,541,642	\$4,760,573	\$4,827,974	\$4,880,104	\$4,924,793
Existing State Allocations	\$1,455,890	\$1,455,890	\$1,455,890	\$1,455,890	\$1,455,890
Existing Chafee Allocations	\$2,037,991	\$2,037,991	\$2,037,991	\$2,037,991	\$2,037,991
Total Revenues	\$7,035,523	\$8,254,454	\$8,321,855	\$8,373,985	\$8,418,674
Net State Fiscal Impact	\$2,912,825	\$5,074,659	\$5,128,747	\$5,250,126	\$5,358,557

Version 3: More Modest Utilization Rate of 50 Percent

A third version of cost projections assumes a more modest utilization rate of 50 percent of 18 year olds who would opt to stay in foster care (compared with a 70 percent rate used in versions 1 and 2).¹¹ This version recognizes that it takes some time for any social program to ramp up to expected utilization. After several years of operating a similar voluntary foster care program for 18 to 21 year olds, Illinois continues to see great variation in utilization rates across counties, ranging from 37% in southern Illinois to 81% in Cook County, Illinois, where there is a very active judiciary.¹² Based on this more modest utilization rate, costs for extending foster care to 21 are projected at \$1 million in 2011, increasing to \$3.7 million in 2015.

Version 3: Fiscal Impact of Extending Foster Care to 21

	2011	2012	2013	2014	2015
Estimated Costs	\$6,991,152	\$10,321,651	\$10,958,575	\$11,059,853	\$11,219,669
Estimated Revenues					
New Title IV-E	\$2,494,374	\$3,697,310	\$3,936,351	\$3,964,523	\$4,013,466
Existing State Allocations	\$1,455,890	\$1,455,890	\$1,455,890	\$1,455,890	\$1,455,890
Existing Chafee Allocations	\$2,037,991	\$2,037,991	\$2,037,991	\$2,037,991	\$2,037,991
Total Revenues	\$5,988,255	\$7,191,191	\$7,430,232	\$7,458,404	\$7,507,347
Net State Fiscal Impact	\$1,002,897	\$3,130,461	\$3,528,343	\$3,601,450	\$3,712,322

Projecting the Net Impact of Extending Eligibility Across All Three IV-E Programs

Based on the cost revenue assumptions developed by the Taskforce, The Finance Project produced a net fiscal impact calculation of extending eligibility for all three Title IV-E programs: foster care maintenance, adoption assistance, and guardianship assistance. These projections assume use of the new IV-E revenue the state will receive as a result of the adoption de-link provision to offset increased costs. The attached tables summarize the costs and revenues associated with a comprehensive approach to extending IV-E eligibility across program areas. In 2011, total costs range from \$3.2 million using assumptions of Version 1; \$2.9 million using assumptions of Version 2; and \$900,000 using assumptions of Version 3.

¹¹ Version 3 assumes the same utilization rate of 30 percent of 19 year olds and 10 percent of 20 years as previous versions.

¹² Peters, C., Clausen Bell, K.S., Zinn, A., Goerge, R.M., & Courtney, M.E. (2008). Continuing in Foster Care Beyond 18: How Courts Can Help. Chicago: Chapin Hall at the University of Chicago.

Assumptions - Version 1						
VERSION 1						
Moderate Uptake Rates to Age 21 Private Foster Care 20 SIL Slots Annually						
Uptake rate among 18 year olds: 70%						Family-based IFCs Contracted \$1.55 per month
Uptake rate among 19 year olds: 30%						Group care \$3,703 per month
Uptake rate among 20 year olds: 10%						Supervised Independent Living \$1,200 per month/28 slots per year
Caseload: 1-25						
Programs	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015

Extending Care to 21						
Estimated Cost						
Estimated Annual Title IV-E Revenue	\$10,445,580	\$15,216,596	\$16,032,861	\$16,677,158	\$16,481,167	\$16,481,167
Total state funds freed	\$3,706,567	\$5,386,626	\$5,684,474	\$5,892,758	\$5,821,652	\$5,821,652
Total Chafee funds freed	\$1,455,890	\$1,455,890	\$1,455,890	\$1,455,890	\$1,455,890	\$1,455,890
TOTAL	\$2,037,991	\$2,037,991	\$2,037,991	\$2,037,991	\$2,037,991	\$2,037,991

Extending Adoption Assistance to Age 21						
Estimated Cost						
Estimated Annual Title IV-E Revenue	\$899,640	\$1,910,569	\$3,248,803	\$3,829,414	\$4,009,986	\$4,009,986
TOTAL	\$446,758	\$1,247,886	\$2,128,638	\$2,510,970	\$2,629,877	\$2,629,877

Extending Guardianship Assistance to Age 21						
Estimated Cost						
Estimated Annual Title IV-E Revenue	\$239,030	\$612,520	\$829,419	\$861,696	\$895,264	\$895,264
TOTAL	\$80,545	\$205,689	\$278,894	\$289,600	\$300,734	\$300,734

Promotion of Adoption through Deinking Adoption Assistance Requirements from AFDC						
Estimated annual Title IV-E revenue	\$157,834	\$437,124	\$688,091	\$1,090,820	\$1,566,518	\$1,971,433
TOTAL	\$157,834	\$437,124	\$688,091	\$1,090,820	\$1,566,518	\$1,971,433
TOTAL FISCAL IMPACT						
Estimated Cost						
Total IV-E Revenue	\$0	\$11,374,251	\$17,739,685	\$20,111,083	\$21,368,269	\$21,386,418
Total State Savings	\$157,834	\$4,670,995	\$7,528,292	\$9,182,827	\$10,259,846	\$10,723,696
Total Chafee Savings	\$0	\$1,455,890	\$1,455,890	\$1,455,890	\$1,455,890	\$1,455,890
TOTAL	-\$157,834	\$13,281,036	\$20,674,867	\$22,109,800	\$23,084,005	\$23,566,204

Conclusion

With the passage of the Fostering Connections Act, Tennessee has an important opportunity to improve outcomes for older youth in foster care. This analysis is intended to support state leaders in considering how best to provide supports and services to this particularly vulnerable population and the costs and revenues associated with various programmatic assumptions. Although the state is facing a challenging fiscal environment, relatively modest investments in this population of young people have the potential to yield significant and long-term benefits.

Acknowledgements

The authors would to express our sincere thanks to Commissioner Bonnie Hommrich and members of the Fiscal Analysis Taskforce for their leadership, commitment, and creative thinking throughout this process. We extend our deepest appreciation to staff of the Interdependent Living and Budget offices who responded to countless requests for data and whose diligent efforts made this analysis possible. Thanks also to the Jim Casey Youth Opportunities Initiative for supporting this technical assistance engagement.

PC 415 Work Groups:

Federal Legislation:

Mary Lee (lead) Mary.Lee@youthvillages.org
Stephanie Millard--stephanie.l.millard@vanderbilt.edu
Cheryl Hultman--tncasa@bellsouth.net
Linda O'Neal--linda.oneal@tn.gov
Rob Mortensen--rmortensen@TNchildren.org
Christy Montgomery--christy.montgomery@tn.gov

Health and Mental Health:

Cheri Hoffman (Lead)--Cheri.Hoffman@centerstoneresearch.org
Lane Simpson--Lane.Simpson@tn.gov
Pam Cash--pamelacash@tnyouthconnections
Melinda Hays--melindab@tds.net

Relationships:

Rob Mortensen (Lead)--rmortensen@TNchildren.org
Cheryl Hultman--tncasa@bellsouth.net
Sumita Banerjee--sumita.banerjee@tn.gov
Lane Simpson--lane.simpson@tn.gov
Mary Lee--mary.lee@youthvillages.org
Darci Hoffman--darcihalfman@monroeharding.org
Stephanie Mallard--stephanie.l.millard@vanderbilt.edu
Kim Crane Mallory--kim.crane.mallory@tn.gov
Melinda Hays--melindab@tds.net

Economic Capacity:

Christy Montgomery (Lead)--christy.montgomery@tn.gov
Steve Petty--steve.petty@tn.gov
Sumita Banerjee--sumita.banerjee@tn.gov
Rokeisha Bryant--rbryant@oasiscenter.org
Mary Lee--mary.lee@youthvillages.org
Pam Cash--pamelacash@tnyouthconnections
Kim Crane Mallory--kim.crane.mallory@tn.gov

Transportation:

Cheri Hoffman (Lead)--Cheri.Hoffman@centerstoneresearch.org
Steve Petty--steve.petty@tn.gov

Housing:

No Lead
Steve Petty--steve.petty@tn.gov
Melissa Canterbury--melissa.c@agapemeanslove.org
Darci Halfman--darcihalfman@monroeharding.org

Advisory Council on Public Chapter 415
December 7, 2009
Tennessee Alliance for Children and Families
10 a.m.-2:00 p.m. (CDT)

Agenda

Welcome, Introductions

Approval of Minutes

Comments on October 31st Report: Next Steps

Briefing on 2009 Fall Jim Casey Convening

JCYOI/TN and DCS Update

- Expansion
- Financial Mapping Project

Discussion on TennCare eligibility for AOY

Other business:

- Walk a Mile Program
- Set tentative schedule for 2010 PC 415 Council

Council on Public Chapter 415
December 7, 2009
10 a.m.-2 p.m.
Tennessee Alliance for Children and Families, Nashville

Meeting Summary

Minutes Pending Approval of Council on January 11, 2010

Participant List:

Cindy Perry
Debbie Gazzaway
Debbie Miller
Rep. Sherry Jones
Cheryl Hultman
Elizabeth Insogna
Linda O'Neal
Rob Mortensen
Sumita Banerjee
Steve Petty
Christy Montgomery
Rokeisha Bryant
Pam Cash
Darci Halfman
Stephanie Millard
Cheri Hoffman
Lane Simpson
Mary Lee
Melissa Canterbury
Cheryl Anderson
Kim Crane Mallory
Beverly Marrero
Aaron Campbell

Welcome and Introductions (Cindy Perry).

Approval of Minutes

Group Discussion

Need to invited new members from missing groups. Mark Wolfe and Reggie Milton attended San Antonio trip and need to be involved in Council. They will be involved with AOY work in Knoxville and Memphis, respectively.

Christy Montgomery reported from Dept. Labor and Workforce Development's Summer Youth Program. Foster Care youth involved. Showed great success. Group received positive feedback at national conference.

Attachment B

PUBLIC CHAPTER NO. 1065**HOUSE BILL NO. 3114**

**By Representatives Sherry Jones, Gilmore, Richardson, Hardaway, Towns,
Cooper**

Substituted for: Senate Bill No. 3101

By Senators Marrero, Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey

AN ACT to amend Tennessee Code Annotated, Title 37, relative to extension of foster care services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 2, Part 4, is amended by adding the following as a new section:

§ 37-2-41 7.

(a) This section may be known and cited as "Tennessee's Transitioning Youth Empowerment Act of 2010".

(b) The department of children's services is authorized to develop a program to provide services to youth who are transitioning to adulthood from state custody. Services may be provided on a voluntary basis to any person who is at least eighteen (18) years of age but less than twenty one (21) years of age, who was in the custody of the department at the time of the person's eighteenth birthday and who is:

(1) Completing secondary education or a program leading to an equivalent credential;

(2) Enrolled in an institution which provides postsecondary or vocational education;

(3) Participating in a program or activity designed to promote, or remove barriers to employment;

(4) Employed for at least eighty (80) hours per month; or

(5) Incapable of doing any of the activities described in subdivisions (b)(1) through (b)(4) due to a medical condition, including a developmental or intellectual condition, which incapability is supported by regularly updated information in the

permanency plan of the person. In such a case the person shall be in compliance with a course of treatment as recommended by the department.

(c) Services may also be made available to any person who meets the requirements of subsection (b) but refused such services at the time of the person's eighteenth birthday if at any time the person seeks to regain services prior to the person's twenty-first birthday.

(d) The advisory committee established in § 37-2-601 shall serve as an advisory committee for programs and services established by this section.

SECTION 2. The commissioner of children's services shall establish policies and procedures in order to create and implement this program.

SECTION 3. The department is authorized to seek federal funding or to participate in federal programs developed for this purpose.

SECTION 4. Tennessee Code Annotated, Section 37-1-102(b)(4), is amended by adding the following as a new subdivision (B)(4)(G):

A person over the age of eighteen (18) shall be allowed to remain under the continuing jurisdiction of the juvenile court for purposes of the voluntary extension of services pursuant to § 37-2-417.

SECTION 5. This act shall take effect July 1, 2010, the public welfare requiring it and shall be repealed on June 30, 2012. The repeal of this act shall not affect any programs that provide services to youth who are transitioning to adulthood from state custody and that are administered by the department of children's services prior to the effective date of this act.

PASSED: June 4, 2010



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 21st day of June 2010



PHIL BREDESEN, GOVERNOR

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 3114 – SB 3101

June 2, 2010

SUMMARY OF AMENDMENTS (015499, 019277): Amendment 015499 deletes all language after the enacting clause of the original bill. Authorizes the Department of Children's Services (DCS) to extend foster care services to youth ages 18 to 21 who are in DCS custody at the time of the individual's 18th birthday and who are completing secondary education or a program leading to an equivalent credential, enrolled in a post-secondary or vocational institution, participating in a program designed to remove barriers to employment, is employed for at least 80 hours per month, or is incapable of any of the preceding activities due to a medical condition that is documented by a permanency plan. DCS is also authorized to make foster care services available to youth ages 18 to 21 who opted out of the program at the time of their 18th birthday and who desire to reenter the program. Authorizes individuals over the age of 18 to remain under the continuing jurisdiction of the juvenile court for the purposes of the extending foster care services.

Amendment 019277 changes the advisory committee cited in the bill as amended from Tenn. Code Ann. § 37-2-501 to § 37-2-601. Deletes language in Section Three of the bill as amended pertaining to the act being subject to the availability of funds. Repeals the act on June 30, 2010 and specifies that the repeal shall not affect any programs that provide services to youth who are transitioning from DCS custody to independence as adults and that are administered by DCS prior to the July 1, 2010 effective date.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – Net Impact - \$14,291,688/FY10-11
Net Impact - Exceeds \$14,291,688/FY11-12 and Subsequent Years

Increase Federal Expenditures - \$4,935,535 /FY10-11
Exceeds \$4,935,535/FY11-12 and Subsequent Years

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Increase State Expenditures – Net Impact - \$1,785,800/FY10-11

Increase Federal Expenditures – \$2,604,400/FY10-11

HB 3114 – SB 3101

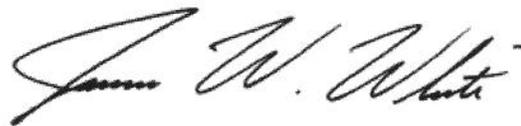
Assumptions applied to amendments:

- DCS will not be required to opt into the federal Fostering Connections program.
- According to DCS, the program will be a nine month program in FY10-11 only. This program will begin on October 1, 2010 and end on June 30, 2011. The Department is unsure if the program will continue in FY11-12 though the act will repeal at the end of FY11-12.
- The program will be capped at 250 participants.
- In FY10-11, of the individuals who will continue in the foster care system, approximately 142 will be placed in family-based foster care at a cost of \$1,455 per month per person; a total monthly cost of \$206,610. Approximately 87 will be in group homes at a cost of \$3,707.40 month per person; a total monthly cost of approximately 322,544.
- Approximately 21 will be placed in independent living at a cost of \$1,200 month per person; a total monthly cost of \$25,200. Total placement cost is approximately \$4,989,186 (\$1,859,490 + \$2,902,896 + \$226,800).
- The expenditures for youth remaining in the system will be reimbursed under the federal Title IV-E program. Approximately 50 percent of the youth will be eligible for federal reimbursement at a 65.85 percent match rate. The amount of new Title IV-E federal reimbursement will be approximately \$1,642,690 (\$4,989,186 x 50% x 65.85%).
- Total state placement cost with federal reimbursement is estimated to be approximately \$3,346,496 (\$4,989,186 - \$1,642,690).
- In FY10-11, for youth continuing in foster care, DCS will hire approximately 13 new case workers at a cost of \$80,011 in salary and benefits; total annual cost of \$1,040,143. Approximately two new supervisors will be hired at a cost of \$88,000 in salary and benefits. Approximately one new DCS team coordinator will be hired at a cost of \$107,471 per position. These personnel will be eligible to receive federal reimbursement from Title IV-E at a 50 percent match rate.
- Total cost for personnel is estimated to be \$1,323,614 (\$1,040,143 + \$176,000 + \$107,471). Fifty percent of these expenditures will be paid for with federal Title IV-E dollars (\$661,807) and 50 percent of these expenditures will be paid for with state appropriations (\$661,807).
- Total extension of foster care placement and personnel costs in FY10-11 with federal reimbursement will be approximately \$4,008,303 (\$3,346,496 + \$661,807).
- To extend guardianship, DCS estimates that approximately 38 youth will participate in FY10-11 at a cost of 714.60 per month. Total cost for guardianship extension in FY10-11 will be approximately \$244,393 (38 x \$714.60 x 9).
- Total state cost for foster care and guardianship extension services in FY10-11 will be approximately \$4,252,696 (\$4,008,303 + \$244,393).
- New Title IV-E revenue for foster care and personnel is approximately \$2,304,497 (\$1,642,690 + \$661,807).
- DCS estimates that in FY10-11, the state will shift approximately \$1,388,789 in state funding and approximately \$2,037,991 in federal Chaffee funding to this program.

- The TennCare program currently provides coverage to foster children from birth through the age of 18.
- There is a voluntary Medicaid category called “Independent Foster Care Adolescents” that will allow continuation of Medicaid coverage for persons between the ages of 18 and 21 who were in foster care on their 18th birthday.
- The Bureau of TennCare estimates that approximately 250 individuals between the ages of 18 and 21 will qualify for this new category of coverage in FY10-11.
- It is estimated that the individuals will receive services at a cost of approximately \$132.06 per-member-per month for 100 males and \$236 for 150 females per-member-per month. Increase in expenditures for males is estimated to be \$118,854 ($\$132.06 \times 100 \times 9$ months) and females \$318,600 ($\$236 \times 150 \times 9$ months). The total increase in expenditures is estimated to be approximately \$437,454 ($\$118,854 + \$318,600$).
- Three months of expenditures, \$145,818 ($\$437,454/3$) will receive the enhanced ARRA match rate of 74.138 percent federal and 25.862 percent state resulting in \$108,107 in federal funds and \$37,711 in state funds.
- The remaining six months of expenditures, \$291,636 ($\$437,454 - \$145,818$) will receive a federal match of 65.78 resulting in \$191,838 in federal funds and \$99,798 in state funds at a rate of 34.22 percent.
- The total increase for TennCare in state expenditures is \$137,509 ($\$37,711 + \$99,798$) and \$299,945 ($\$108,107 + \$191,838$) in federal funds.
- New Title IV-E revenue is estimated to be \$2,604,442 ($\$2,304,497 + \$299,945$) in FY10-11.
- The total increase in state expenditures for foster care, personnel, and TennCare is estimated to be \$4,390,205 ($\$4,252,696 + \$137,509$).
- The total net increase in state expenditures in FY10-11 is estimated to be \$1,785,763 ($4,390,205 - \$2,604,442$).

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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