

HOUSE No. 123

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act bettering the lives of youth who age out of the care of the Commonwealth..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Whereas every year approximately 600 youth age out of the state custody, it shall be the
2 policy of this Commonwealth to ensure these youth leave with five core resources, (1) on-going,
3 nurturing relationships with adults and positive relationships with peers, (2) safe and stable
4 places for living, learning, working, and playing, (3) values, skills, opportunities, and supports
5 that promote optimal physical and mental health, (4) educational preparation and economic
6 opportunity, and (5) opportunities to make a difference through community service and civic
7 participation.

8 SECTION 1. Section 52 of Chapter 15 of the General Laws, is hereby amended by
9 inserting in the second sentence of the first paragraph after the words "basic skills" the following
10 words:- "high concentrations of students in foster care."

11 SECTION 2. Said section 52, is hereby further amended after the third paragraph by
12 adding, the following paragraph:- "Financial support for schools would require said district to
13 employ or share a professional position of a foster care liaison whose responsibilities would

14 include but, not be limited to, providing information and support for all public and private
15 resources available for foster care students.”

16 SECTION 3: Section 19 of chapter 15A of the General Laws, as most recently amended
17 in section 22 of chapter 176 of the acts of 2008, is hereby amended in the ninth paragraph by
18 inserting after the word “families” the following words:- “, including a child in need of services
19 as defined in Section 21 of Chapter 119 of the General Laws,”.

20 SECTION 4. Section 9A of chapter 118E of the General Laws, is hereby amended in
21 clause (2)(c) by adding at the end thereof, the following words:- “and provided further, that
22 children who have aged out of the custody of the department of children and families shall be
23 eligible for these benefits until they reach age 21”.

24 SECTION 5. Section 23 of chapter 119 of the General Laws, is hereby amended by
25 inserting after the second sentence in of clause (3)(iv), the following sentence:- “If a child is in
26 the care of the department and receiving services from the department of mental health, and
27 continues to be eligible for services from the department after reaching the age of 18 as allowed
28 under clause (7)(f) of this Section, that child shall continue to receive services from the
29 department of mental health until the child is no longer in the care of the department.”

30 SECTION 6. Said Section 23 is further amended by inserting in the first sentence of
31 clause (7)(e), at the end, the words:- “and any schools the child attends as a result of that
32 placement or transfer.”

33 SECTION 7. Said Section 23 is further amended in subsection (f) by inserting at the end
34 of clause (7)(f)(ii), the sentence:- “Notwithstanding, when a person requests that the department
35 renew its responsibility, a presumption of eligibility shall be in effect for ninety days.”

36 SECTION 8. Section 26 of said chapter is hereby amended in subsection (b) by inserting
37 at the end thereof the following clause:- (6) The court may order sibling visitations as part of
38 adoption decrees and care and custody orders.”

39 SECTION 9. Section 29B of said chapter hereby amended by striking out the second
40 appearance of the figure “12” in the first paragraph, and inserting in place thereof the following
41 figure:- “6”.

42 SECTION 10. Said section 29B is further amended in the second sentence by inserting at
43 the end thereof the following words:- “; (6) the child’s preferred placement”.

44 SECTION 11. Said section 29B is further amended in the first paragraph by adding at the
45 end thereof, the following sentence:- “However, where appropriate the court may require the
46 child’s attendance and participation.”

47 SECTION 12. Said section 29B is further amended in the second paragraph by adding at
48 the end thereof, the following sentence:- “However, before the child reaches their eighteenth
49 birthday, the child along with their attorney shall have the opportunity to negotiate the details of
50 the services they desire to receive after the age of 18.”

51 SECTION 13. Section 38 of said chapter is hereby amended by inserting after the first
52 sentence, the following sentence:- “However, the court shall collect and report data on
53 permanency hearings annually.”