

HOUSE No. 4492

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 5, 2020.

The committee on Children, Families and Persons with Disabilities, to whom was referred the petition (accompanied by bill, House, No. 144) of Elizabeth A. Malia and others for legislation to provide residential or custodial services to ensure positive transitions for at-risk youths, reports recommending that the accompanying bill (House, No. 4492) ought to pass.

For the committee,

KAY KHAN.

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**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act ensuring positive transition for at-risk youth.

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

1 SECTION 1. Chapter 119 of the General Laws, as appearing in the 2018 Official Edition
2 is hereby amended by adding after section 89 the following section:-

3 Section 90. (a) As used in this section the following words shall, unless the context
4 clearly requires otherwise, have the following meaning:

5 “emerging adult”, a person who is in the custody and care of the department of children
6 and families, the department of mental health, or the department of youth services who is
7 between the ages of 14 and their 22nd birthday.

8 “agency and office staff”, individuals who work with emerging adults in the departments
9 that provide transition plans.

10 “departments”, the department of children and families, the department of mental health
11 and the department of youth services.

12 (b) Notwithstanding any other general or special law to the contrary, any agency or office
13 of the Commonwealth providing residential services or that has custody of a minor, including the
14 department of children and families, the department of mental health, and the department of
15 youth services, or an entity funded by the Commonwealth to provide the same, shall not
16 discharge any minor in their care or custody or an emerging adult in their care or custody who
17 was a minor at the time of their initial placement without a transition plan.

18 (c) A transition plan shall comprehensively address discharge procedures in regard to the
19 following, including but not limited to: housing, continuity of care, health insurance,
20 employment, benefits, obtaining identification documents and community resources.

21 The agency or office shall take all means necessary to ensure placement into appropriate
22 housing upon discharge, and begin the process of transition planning no later than 14 years of
23 age, as they become an emerging adult. Appropriate housing shall include but not be limited to
24 single room occupancies (SROS), transitional housing, rest homes or nursing homes, as well as
25 housing obtained through housing and rental voucher programs and the Family Unification
26 program. Emergency shelters or a public or private place not designed for or ordinarily used as a
27 regular sleeping accommodation for human beings shall not constitute appropriate housing.

28 Transition planning shall take place in conjunction with the housing consumer education
29 center in the region as defined by chapter 41 of the acts of 2019. Housing consumer education
30 centers shall train agency and office staff to address the needs of emerging adults transitioning
31 from state care and/or custody. The departments shall not finalize the discharge procedure for
32 any minor or young person without confirming that the transition plan was reviewed by all
33 entities mandated in regulations.

34 (d) The departments shall promulgate reasonable rules to implement this section
35 including, but not limited to: providing training to agency and office staff on how to best support
36 transition-age youth, and emerging adults in their care; the process of assigning housing
37 consumer education center staff to work directly with any agency or office of the
38 Commonwealth providing residential or custodial services to minors or emerging adults, entities
39 funded by the Commonwealth to provide the same, and nonprofit organizations with a mission
40 dedicated to serving system-involved youth and emerging adults.

41 SECTION 2. This act shall take effect on January 1, 2021.