

HOUSE No. 248

The Commonwealth of Massachusetts

PRESENTED BY:

Elizabeth A. Malia and Sonia Chang-Diaz

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to ensure positive transition plans to prevent youth homelessness.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/9/2021</i>
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>	<i>2/19/2021</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>9/5/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>10/5/2021</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>12/3/2021</i>

HOUSE No. 248

By Representative Malia of Boston and Senator Chang-Diaz, a joint petition (accompanied by bill, House, No. 248) of Elizabeth A. Malia and Sonia Chang-Diaz for legislation to provide residential or custodial services to ensure positive transitions for at-risk youths. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 144 OF 2019-2020.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Second General Court
(2021-2022)**
—————

An Act to ensure positive transition plans to prevent youth homelessness.

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

1

2 An Act to ensure positive transition plans to prevent youth homelessnessBe it enacted by
3 the Senate and House of Representatives in General Court assembled, and by the authority of the
4 same, as follows:

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

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

9 “transition age youth”, a person who is in the custody and care of the department of
10 children and families, or in the department of youth services, or a person who is under the
11 responsibility or a consumer of services of the department of children and families who is
12 between the ages of 14 and their 22nd birthday.

13 “agency and office staff”, individuals who work with transition age youth in the
14 departments that provide transition plans.

15 “department”, the department of children and families.

16 (b) Notwithstanding any other general or special law to the contrary, the department
17 shall discharge any transition age youth with a written transition plan. Any department that
18 provides residential services to minors must consult with other departments to ensure that they
19 are discharged with a transition plan. (c) the department shall take all means necessary to begin
20 permanency planning and incorporate a written transition plan for a child who has attained 14
21 years of age or over into the case plan to fulfill the requirements of 42 USC § 675 (1) (D), 42
22 USC § 675 (1)(B) and 42 USC § 675(5)(C) and MGL c. 119, § 29B(c). The transition plan shall
23 comprehensively address programs and services and options that will help such child prepare
24 for the transition from foster care to a successful adulthood including but not limited: (1)
25 securing appropriate stable housing; (2) making an education plan; (3) finding a vocational,
26 employment service and career counseling and placement; (4) maintaining physical and mental
27 health care and health insurance (5) building relationships with other caring adults, particularly
28 with life-long connections; (6) developing expertise in daily living skills; (7) learning how to
29 access community resources and public benefits and services; (8) connecting with other state
30 agencies; (9) developing financial skills including receiving, understanding, and correcting, if

31 applicable, consumer credit reports, and (10) any information about any additional or specialized
32 services provided to the child or young adult to assist with the transition to successful adulthood,
33 and (11) identifying and addressing immigration status concerns and issues.

34 The department shall take all means necessary to ensure placement into appropriate
35 permanent housing prior to discharge. Appropriate housing shall include but not be limited to
36 single room occupancies (SROS), transitional housing, as well as housing obtained through
37 housing and rental voucher programs, the Family Unification program, and all other state and
38 federal programs available to transition age youth or emerging adults. Shelters, emergency
39 shelters or a public or private place not designed for or ordinarily used as a regular sleeping
40 accommodation for human beings shall not constitute appropriate housing.

41 The department shall provide annual training to staff of each of the housing consumer
42 education centers as defined by Chapter 41 of the Acts of 2019 on the federal and state
43 requirements for discharging transition age youth pursuant to statute and regulation. The
44 department in consultation with the department of housing and community development, shall
45 ensure every transition age youth shall be assigned a caseworker from the housing consumer
46 education centers to provide support in securing appropriate housing as defined in this chapter
47 before they turn 16 years and 9 months of age. The department shall not finalize the discharge
48 procedure for any transition age youth who is a consumer of department services or in the care
49 and/or custody of the department without confirming that the transition plan was reviewed by
50 housing consumer education center caseworker assigned to the transition age youth.

51 The committee for public counsel services shall set training and performance standards
52 in order to train court-appointed attorneys representing transition age youth , on the transition

53 plan process, including but not limited to, federal and state requirements and best practices for
54 incorporating the desires of clients.

55 (d) the executive office of health and human services, the executive office of education,
56 the executive office of housing and economic development, the executive office of labor and
57 workforce development and each department under those secretariats shall utilize all federal and
58 state programs available to transition age youth when developing and executing on the transition
59 plans. This includes but is not limited to (a) optimizing federal funding such as Title IV-E and
60 the Title IV-E Workforce Innovation and Opportunity Act of 2014 and (b) any and all state
61 allocations intended for emerging adults and transition age youth.

62 (e) The department shall promulgate reasonable rules to implement this section including,
63 but not limited to: (1) collecting data including, but not limited to the following: the number of
64 youth or transition age youth discharged by age, details of the transition plan of each transition
65 age youth who is no longer in the care, custody or a consumer of the department including the
66 appropriate housing placement and continuity of care, health insurance, employment, benefits,
67 obtaining identification documents and community resources; and (2) providing training and
68 ongoing support to agency and office staff on how to best support transition-age youth in their
69 care, and the process of assigning a committee for public counsel services attorney and housing
70 consumer education center caseworker to work directly with transition age youth.

71 SECTION 2. Chapter 119 of the General Laws, as appearing in the 2018 Official Edition
72 is hereby amended by adding after the last sentence of section 23 (f) the following phrase:

73 The department shall not finalize the case and discharge procedure for any transition age
74 youth without confirming that the transition plan was reviewed by all entities mandated in
75 regulations and approved by a court.

76 SECTION 3. This act shall take effect immediately after passage.