SENATE No. 85

The Commonwealth of Massachusetts

PRESENTED BY:

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:	
Sonia Chang-Diaz	Second Suffolk	
Russell E. Holmes	6th Suffolk	3/12/2021
Sean Garballey	23rd Middlesex	3/12/2021
Adam Gomez	Hampden	3/14/2021
Patrick M. O'Connor	Plymouth and Norfolk	3/15/2021
Colleen M. Garry	36th Middlesex	3/26/2021
Michelle M. DuBois	10th Plymouth	4/1/2021
James B. Eldridge	Middlesex and Worcester	4/25/2021
Kay Khan	11th Middlesex	5/11/2021
Carmine Lawrence Gentile	13th Middlesex	12/31/2021

FILED ON: 2/19/2021

SENATE No. 85

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 85) of Sonia Chang-Diaz, Russell E. Holmes, Sean Garballey, Adam Gomez and other members of the General Court for legislation to ensure positive transition plans to prevent youth homelessness. Children, Families and Persons with Disabilities.

The Commonwealth of Alassachusetts

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:

- 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 "transition age youth", a person who is in the custody and care of the department of
- 6 children and families, or in the department of youth services, or a person who is under the
- 7 responsibility or a consumer of services of the department of children and families who is
- 8 between the ages of 14 and their 22nd birthday.
- 9 "agency and office staff", individuals who work with transition age youth in the
- departments that provide transition plans.
- "department", the department of children and families.

(b) Notwithstanding any other general or special law to the contrary, the department shall discharge any transition age youth with a written transition plan. Any department that provides residential services to minors must consult with other departments to ensure that they are discharged with a transition plan. (c) the department shall take all means necessary to begin permanency planning and incorporate a written transition plan for a child who has attained 14 years of age or over into the case plan to fulfill the requirements of 42 USC § 675 (1) (D), 42 USC § 675 (1)(B) and 42 USC § 675(5)(C) and MGL c. 119, § 29B(c). The transition plan shall comprehensively address programs and services and options that will help such child prepare for the transition from foster care to a successful adulthood including but not limited: (1) securing appropriate stable housing; (2) making an education plan; (3) finding a vocational, employment service and career counseling and placement; (4) maintaining physical and mental health care and health insurance (5) building relationships with other caring adults, particularly with lifelong connections; (6) developing expertise in daily living skills; (7) learning how to access community resources and public benefits and services; (8) connecting with other state agencies; (9) developing financial skills including receiving, understanding, and correcting, if applicable, consumer credit reports, and (10) any information about any additional or specialized services provided to the child or young adult to assist with the transition to successful adulthood, and (11) identifying and addressing immigration status concerns and issues.

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The department shall take all means necessary to ensure placement into appropriate permanent housing prior to discharge. Appropriate housing shall include but not be limited to single room occupancies (SROS), transitional housing, as well as housing obtained through housing and rental voucher programs, the Family Unification program, and all other state and federal programs available to transition age youth or emerging adults. Shelters, emergency

shelters or a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings shall not constitute appropriate housing.

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

The committee for public counsel services shall set training and performance standards in order to train court-appointed attorneys representing transition age youth, on the transition plan process, including but not limited to, federal and state requirements and best practices for incorporating the desires of clients.

(d) The executive office of health and human services, the executive office of education, the executive office of housing and economic development, the executive office of labor and workforce development and each department under those secretariats shall utilize all federal and state programs available to transition age youth when developing and executing on the transition plans. This includes but is not limited to (a) optimizing federal funding such as Title IV-E and

the Title IV-E Workforce Innovation and Opportunity Act of 2014 and (b) any and all state allocations intended for emerging adults and transition age youth.

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

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

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

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