

Bulletin

April 22, 2009

Minnesota Department of Human Services -- P.O. Box 64941 -- St. Paul, MN 55164-0941

OF INTEREST TO

- County Directors
- County Social Service Supervisors and Staff
- Tribal Social Service Directors
- Tribal Social Service Supervisors
- County SELF Program Coordinators

ACTION/DUE DATE

None.

EXPIRATION DATE

January 28, 2011

Adolescent Services Provides Guidance on Transition Planning and Requirements for Older Youth in Care

TOPIC

Legal requirements, best practices and resources for local social service agencies when planning for the transition of youth expected to leave foster care at age 18.

PURPOSE

Instruct counties on the legal requirements for transition planning for older youth in foster care. Remind counties of resources for assistance in working with transition aged youth.

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SIGNED

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New Legal Requirements

Minnesota law was strengthened in 2008 to provide greater judicial oversight of county social service agency efforts to prepare youth for discharge from foster care. The annual court review hearing for youth age 16 and older will include a review of actual plans for each item of a youth's required [independent living plan](#) [Minnesota Statutes section 260C.212, subd.7(d)]. The court is also required to make findings regarding the progress towards, or accomplishment of, 11 specific transition goals, including whether the adolescent:

- Has obtained a high school diploma or its equivalent;
- Has completed a driver's education course, or has demonstrated; ability to use public transportation in their community;
- Is employed or enrolled in postsecondary education;
- Has applied for and obtained postsecondary education financial aid for which they are eligible;
- Has health care coverage and health care providers to meet their physical and mental health needs;
- Has applied for and obtained disability income assistance for which they are eligible;
- Has obtained affordable housing with necessary supports, which does not include a homeless shelter;
- Has saved sufficient funds to pay for the first month's rent and a damage deposit;
- Has an alternative affordable housing plan, which does not include a homeless shelter, if the original housing plan is unworkable;
- If male, has registered for the Selective Service;
- Has a permanent connection to a caring adult.

If the youth is within six months of his/her 18th birthday, the court will also determine whether the county social service agency has advised them, their parents or legal guardian, and foster parents of the availability of [foster care benefits up to age 21](#). If the youth indicates a desire to remain in foster care and receive services beyond age 18, the county agency has an affirmative obligation to develop a plan with that youth to remain in foster care.

Persons between the ages of 18 and 21 who had been under state guardianship may request these services and benefits **at any time** regardless of whether they left care or continued in care at age 18 (Minnesota Rule 9560.0660).

If the county denies the request to remain in foster care (or return to foster care for persons under age 21 and formerly under state guardianship) the county must provide written notice of the youth's right to a fair hearing. If the youth remains in care, foster care benefits should continue. If benefits are reduced, the youth must be given notice of the right to a fair hearing (Minnesota Statutes section 256.045).

If the youth requests to remain in foster care beyond age 18, the department recommends that the county social service agency, in addition to its case planning requirements, continue to rely on the placement authority that was in place prior to when the youth turned age 18. Continued foster care benefits beyond age 18, and up to age 21, should be tied to the youth's compliance and progress on the independent living plan developed between the youth and the agency. In situations where there is no longer either court involvement or a voluntary placement agreement the independent living plan is the mechanism under which the agency continues to provide foster care benefits with the legal authority being Minnesota Rule 9560.0660.

If the plan provides that the youth will continue to live with their foster parents, the foster parents must be consulted regarding the plan as needed to ensure their support and identify their role in the plan.

Title IV-E reimbursement continues to be available to counties, and tribes participating in the American Indian Child Welfare Initiative, for youth over age 18 in foster care if they:

- Met basic Title IV-E eligibility standards prior to age 18
- Are under age 19
- Attend a secondary school or equivalent educational program as a full-time student
- Are expected to complete their coursework for graduation by or before the month they reach age 19.

The Department of Human Services plans to submit an amendment to the state Title IV-E plan through an option made available in the federal Fostering Connections to Success and Increasing Adoptions Act. Upon approval of the amendment by the federal government, counties and tribes participating in the American Indian Child Welfare Initiative may claim Title IV-E reimbursement for eligible youth who remain in foster care up to age 21.

Counties may look at alternative means of financing the benefit, such as group residential housing (GRH) if the youth is eligible and the provider obtains an adult foster care license. Youth who qualify as having a disability under [Minn. Statutes, section 256I.04](#) may remain in foster care and their provider can receive payment under the group residential housing program for room and board costs if the provider is licensed to provide adult foster care. Difficulty of care costs associated with maintenance beyond room and board cost remain the obligation of the county.

Vital Documents

When youth leave foster care the court will ensure that the agency, in conjunction with the placement provider, assists the youth in obtaining the following documents prior to leaving care:

- A Social Security card;
- Birth certificate;
- Driver's license or a state identification card;
- Green card or school visa, if applicable;
- School, medical and dental record's;

- A contact list of the youth's medical, dental and mental health providers;
- Contact information for the youth's siblings, if they are in foster care;
- A copy of the youth's social and medical history;
- An education report.

Minnesota Statutes section 260C.212 subd. 7 (d) (3) and subd. 4 (4) (e).

Appeal Process

If a county social service agency denies or reduces the benefits described above, the youth, their parents, or foster parents may appeal the decision to the Department of Human Services. The request for an [appeal](#) hearing must be submitted in writing within 30 days of the county's notification of denial or reduction (Minnesota Rule 9560.0665, subpart 8).

If an appeal is sought by the youth, their parents or foster parents, the county must continue to provide case management and foster care maintenance to the youth pending the decision of the appeal hearing: [Minn. Statutes, section 256.045, subd. 6 \(c\)](#).

Independent Living Plan

Independent Living Plans are required [Minn. Statutes, section 260C.212, subdivision 1 (c)(8)] for all youth age 16 and older in out-of-home care as a result of a permanency disposition placing a child in long-term foster care or under guardianship of the commissioner. Independent Living Plans must be developed with the youth and are part of the Out-of-home Placement Plan. The department recommends use of the [Casey Life Skills](#) assessment tool as a method of assessing the independent living needs of youth and determining plan goals.

What is important to know about transition age youth currently receiving MH-TCM and/or Family Community Support Services prior to turning age 18?

If a child is receiving children's mental health – targeted case management (MH-TCM) or family community support services at 17 years of age, upon turning 18 that young adult (with a mental health professional's recommendation) is eligible to continue receiving mental health case management services. In this situation, MH-TCM for the young adult over age 17 but under 21 years of age can continue to be provided by the children's service system or by the adult service system. However, the adult MH-TCM rate is paid upon the recipient turning 18 years old. This young adult would not be subject to the serious and persistent mental illness (SPMI) eligibility definition for adult case management services. If however, this young person discontinued MH-TCM prior to being 18 or after being 18, and then later wanted MH-TCM that young adult would need to meet the SPMI eligibility for MH-TCM and would receive the adult MH-TCM (DHS Bulletin #09-53-01, issued January 14, 2009).

Resources

The Department of Human Services has developed several resources to assist counties with transition planning and services for youth.

Best Practice Guide

The practice guide for county social workers entitled [*Helping Youth Transition from Out-of-Home Care to Adulthood*](#) is available online.

Education and Training Vouchers

Education and Training Vouchers (ETV) are funds to assist youth who have experienced foster care with up to \$5,000 for post secondary education and training costs, including living expenses. For detailed information on eligibility requirements and how to apply for an ETV click on the [Education and Training Voucher Program](#). **Please note that the new deadline for ETV's is July 1.** The ETV program contact is Jill Von Holtum, (651) 431-4663, or e-mail at jill.von.holtum@state.mn.us.

Support for Emancipation and Living Functionally (SELF) funds

The majority of Minnesota county social service agencies receive SELF funds to assist youth with transition planning. Since 2006, SELF funds were targeted to youth who were either likely to age out of foster care or be adopted after age 16. SELF services were prioritized to emphasize the acquisition of independent living skills. The SELF program contact is Claire Hill, (651) 431-4686, or e-mail at claire.d.hill@state.mn.us.

Healthy Transition and Homeless Prevention Grant

The Healthy Transitions to Adulthood and Homeless Prevention Grant began in 2005 when the department received state funding for transition services to youth who were likely to age out of foster care, or who were recently discharged from care. Twenty-four community-based programs were established to assist youth ages 16 and older who are in a county-referred out-of-home placement, and youth between the ages of 18-21, who are homeless, or at risk of becoming homeless, and have been in an out-of-home placement since age 16. Youth in these groups receive transitional services, and in some cases rental assistance. The program contact is Kathleen Hiniker, (651) 431-4707, or e-mail at kathleen.a.hiniker@state.mn.us.

Youth Corner

The [Youth Corner](#) Web site offers access to statewide community resources for youth including housing, education, jobs, money management, legal, transportation, community connections and health care. Information can be found by topic area or location. Youth and/or youth workers can customize and save resource plans.

Independent Living Assistance for Youth

The department encourages counties to work with providers in their community to pursue an [Independent Living Assistance for Youth](#) license. This license for independent living services allows a provider to serve county-referred youth ages 16 to 21 who are in out-of-home placements, leaving out-of-home placements, at risk of becoming homeless, or homeless. Youth that are served under this license cannot be in need of 24-hour supervision. The license allows for the license holder to provide scattered site residential housing for youth. The scattered site residence is not subject to separate licensure. County agencies may claim Title IV-E reimbursement for the cost of maintenance of a youth (rent and room and board, etc.) if the youth is Title IV-E eligible, and the license holder is also approved as an eligible Title IV-E facility.

Transitional Services Certification

For youth that require greater supervision, the department encourages counties to work with providers in their community to pursue a [Transitional Services Certification](#). A Transitional Services program serves youth age 16-21 according to the resident's independent living plan, and is designed to prepare a resident to live independently or reintegrate to a community setting following a stay in transitional housing. This residential program license is subject to more regulations than the Independent Living Assistance for Youth license, including requirements for community involvement, services and supervision. County agencies may claim Title IV-E reimbursement for the cost of maintenance of the youth (rent, room and board, etc.) if the youth is Title IV-E eligible and the license holder is also approved as an eligible Title IV-E facility.

Training

The department offers the following training through the Minnesota Child Welfare Training System. For class schedule and registration go to [TrainLink](#).

Social Worker Training

CSP227 Transitioning Adolescents to Adulthood: This 12-hour training is for county and tribal agency social service staff. The training sets out guiding principles for working with youth who are transitioning from foster care to adulthood. Workers will walk away from this training with strategies to engage youth, family, and other resources regarding independent living planning. Independent living skills assessment tools and the Independent Living Plan will be discussed.

Foster, Adoptive and Kinship Providers Training

CSP9328A Bridging the Past and the Present: This six-hour training offers county and tribal agency foster parents the opportunity to look at adolescents in foster care through the lens of positive youth development. It focuses on adolescent brain development and how the experience of being in care impacts the behavior and decision-making of teens. By the end of the session,

foster parents should have a new perspective on the identity development and sense of belonging that teens struggle to achieve in order to move towards successful adult living skills.

CSP9328B Planning for Adult Success: This six hour training provides county and tribal agency foster parents information on how they can help improve the long-term outcomes for adolescents in their care by knowing and helping youth access resources designed to support their transition from foster care to adulthood. Youth in care are invited to attend this session with their foster care providers.

County and tribal agency staff may request the trainings by contacting their area training manager in their region.

Special Needs

This information is available in other forms to people with disabilities by contacting us at (651) 431-4671. TDD users can call the Minnesota Relay at 711 or (800) 627-3529. For the Speech-to-Speech Relay, call (877) 627-3848.