

Legislation Impacting Foster Care Program Effective May 1, 2023.

The purpose of this broadcast is to share with the Local Departments of Social Services (LDSS) the form necessary to implement legislation impacting the Foster Care Program that goes into effect **May 1, 2023**. This is not a typical enactment date due to the senate not having officially adjourned during the 2022 special session. Bills that were part of the special session could not be enacted until 4 months following the adjournment which took place when the senate convened for the 2023 regular session.

HB 349 of the 2022 General Assembly session directs LDSS to provide housing support for youth who turned 18 in foster care on or after July 1, 2022 and are not participating in the Fostering Futures Program. Youth between the ages of 18 and 21 are eligible for up to six months of support, consecutive or non-consecutive. The payment is equal to the room and board portion of the current maintenance payment for youth age 13 and over.

The full text of HB 349 can be found [here](#) and outlines the requirements and eligibility.

The form required to access the housing support can be found here. (Insert link to Fusion)

The guidance related to implementation of this legislation is currently going through the required state review process and will be published as quickly as possible. In the meantime, please direct questions regarding this legislation to va.ilp@dss.virginia.gov.

HOUSING SUPPORT FOR EMANCIPATED YOUTH COMMUNICATION FORM

Form Instructions:

Beginning May 1, 2023, youth who may be eligible for Fostering Futures, but are not participating in Fostering Futures at any point between the ages of 18 and 21, may be eligible for time-limited housing support. The housing support assistance is equal to the room and board portion of the maintenance payment for Fostering Futures. A youth may receive this support for a period of no more than six months (consecutive or non-consecutive) from the age of 18 until their 21st birthday. This communication form should be used to document the youth's eligibility, participation, and termination in the program when applicable.

The youth's caseworker should notify the youth prior to turning 18 in foster care of this resource. The youth's caseworker needs to include information about this program in the youth's transition plan. A youth may receive this support for a period of no more than six months (consecutive or non-consecutive) from the age of 18 until their 21st birthday. Youth may take advantage of the assistance at any point between the ages of 18 and 21, so long as they have not received the maximum amount of six months of assistance.

While the implementation date of this program is May 1, 2023, the law applies to youth who turned 18 on or after July 1, 2022. The LDSS will need to notify youth who meet the criteria of their right to enroll in this program.

Applications and Payments:

If a youth chooses to receive housing support, the youth's service worker must provide them with a copy of the Housing Support Communication Form. The worker needs to obtain the information from the youth and complete the checklist below to facilitate the youth's participation in the program.

Within 10 calendar days of completion of the form, the service worker will confirm that the youth meets the eligibility criteria outlined above through the child welfare information system.

The worker must indicate that the youth is eligible on the form and provide a copy to the youth. If eligible, payments must be issued in monthly increments from the housing support budget line on the first of the following month from their eligibility determination. Budget line 86901 has been designated for these additional funds made available by the Virginia General Assembly. The LDSS will need to submit a BRS request in LASER for reimbursement. The worker must ensure payments are documented in the child welfare information system.

Termination:

The youth's housing support payments must not be terminated unless:

- The youth requests for the payments to be terminated;
- The youth elects to enter Fostering Futures (the housing support payments may continue until the VCSSA has been executed);
- The worker does not have on file a forwarding address and has been unable to locate the youth in the past 60 days, during which time a 30-day notice of termination was sent to the last known address or contact information for the youth; or
- The youth has received the maximum allotment of six months of housing support.

Documentation:

The payments and contacts with the youth should be documented by the worker on the youth's closed foster care case in the child welfare information system on the IL screens. These screens remain accessible after case closure. The months of the payments that were issued should be entered on the IL services screen. Tip sheets on how to enter housing support payment information in the child welfare information system are posted on FUSION.

Eligibility Checklist (to be completed by LDSS):

The youth _____ (*youth's name*) meets the following criteria (*please ensure that youth meet all criteria*):

- The youth, on or after July 1, 2022, either:
 - turned 18 while in foster care, or
 - turned 18 while in the custody of DJJ but was in the custody of the LDSS immediately prior to commitment.
- The youth is between the ages of 18 and 21; and
- The youth is not participating in the Fostering Futures program.

- (*youth*) would like to request _____ months (indicate number of months up to six) of housing support.
- (*youth*) would like payments mailed to: _____.
- (*youth*) would like to designate a payee, such as a landlord, to receive all or a portion of the payment. If applicable, please note the payee's name, address, and amount: -

- The LDSS will send a check for \$_____ * around the _____ of every month to the address above. (*Please note: The amount is based on the room and board portion of the maintenance payments for youth 13 and older and can change with maintenance increases.)

Termination Checklist (to be completed by LDSS):

Housing Support for Emancipated Youth _____ (*youth's name*) is being terminated for the following reason (*please check one*):

- The youth requests for the payments to be terminated,
- The youth elects to enter Fostering Futures (the housing support payments may continue until the VCSSA has been executed),
- The worker does not have on file a forwarding address and has been unable to locate the youth in the past 60 days, during which time a 30-day notice of termination was sent to the last known address or contact information for the youth; or
- The youth has received the maximum allotment of six months of housing support.

*The LDSS should send this document to the VDSS representative at va.ilp@dss.virginia.gov anytime there is a change in a youth's status so that their eligibility for the program can be monitored.