

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

4025

2007 SENATE HUMAN SERVICES

SCR 4025

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SCR 4025

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 2-21-07

Recorder Job Number: 3579, 3580, 3596

Committee Clerk Signature

*Mary K Monson*

Minutes:

Chairman Senator J. Lee opened the hearing on SCR 4025 directing the Legislative Council to study the feasibility and desirability of developing and funding a program to provide services to youth in foster care who are preparing to transition to adulthood.

Senator Warner (District #4) introduced SCR 4025 and explained that this came out of concerns he had when he first heard the statistics on the outcomes of higher education for students coming out of foster care. They weren't doing very good relative to their peers. They weren't going into higher education, weren't staying in, and weren't obtaining degrees. As he checked into it farther, he found there were other problems as well. They were problems that perhaps could be seen coming as early as adolescence. There are things that could be done to prepare kids better for the transition into adulthood.

Senator Dever said he had conversations with the people at Youth Works and they talked about this problem. Part of their concern was transition out of the youth correction center.

Would that be lumped into foster care?

Senator Warner said he and Senator Heckaman had been talking about one of Senator

Mather's study dealing with mental health issues and adolescents. He said they should be careful as they create linkages between criminal behavior, mental health, and foster care.

There may be parallel tracks that they want to follow but they need to be careful about mixing those groups.

Senator Dever said some of their concerns were similar to what was here.

Don Snyder (Foster Care Administrator/Children and Family Services Division, Dept. of Human Services) testified in favor of SCR 4025. (Attachment #1)

Senator J. Lee asked what happens to child support payments now.

Mr. Snyder deferred to Barb Siegel (Child Support Enforcement Division, Dept. of Human Services). She replied that currently they do pursue both the former custodial parent and the non custodial parent for child support when a child goes into foster care. Those payments are used to offset the cost of the foster care.

Senator J. Lee said then what is mentioned here would be a diversion of that applying to the cost of foster care.

Ms. Siegel said that was correct. Mostly what states have done when they played with the child support trust account idea was with TANF. She said what they would like to do through their demonstration grant is see if they can do something pared with when the child is going to be reunified.

Senator J. Lee asked if they have a project now they think would be including some of this kind of thing.

Ms. Siegel said that is their plan. They were awarded the Section 11-15 demonstration grant effective September 1, 2006. It's a three year project.

Senator Warner asked her to estimate, in order of magnitude, what the state's responsibility would be. (Meter 10:20)

Ms. Siegel replied that she couldn't now because they haven't started that part of the evaluation yet. It would really depend on the amount they are looking at setting aside as a

child support trust account. (Meter 10:55) What they are really concerned with is what they are doing by collecting child support from a parent with whom the child is going to be reunified.

Senator Dever said it would be real difficult for an 18 year old to get by with no money, but it seems this could be substantial money, and that wouldn't be good either. Would there be a way of managing that money in a trust or a monthly allowance.

Ms. Siegel said there are ways. Now when there are excess payments that exceed the amount of foster care, it is to be used, under federal regulations, for the best interest of the child. The legal custodian determines if that is for reunification, for housing, for food, for additional school supplies, etc. A similar type of premise could be with the child support trust account.

Senator Dever asked if she was talking about the state when she says "legal custodian".

Ms. Siegel said it may be the state, Dept. of Human Services, or Dept. of Juvenile Services.

Senator Dever asked if it is not the parent.

Ms. Siegel replied that when they receive an amount in excess and the child is in foster care it goes to the legal custodian which is not the parent at that time.

John Stautz testified in support of SCR 4025. He told about being in the foster care system until he was 18. He is now enrolled at UND. During the transitional stage of being a foster youth and going to college he was able to take advantage of several programs and opportunities. One was the independent living services offered by the state. They were in place to help teach independent living skills such as money management, child care, finding a job, etc. Those are the program successes.

(Meter 15:15) He also addressed the pitfalls. They don't have the resources they need to pull on. He wasn't able to get in contact with his independent living coordinator at the onset of his transitional stage. He was pretty much left on his own.

(Meter 16:15) He shared a story of a friend who doesn't have the resources or the know how to take advantage of the resources that are available to live on his own and be successful.

(Meter 17:10) He talked about the Independent Living Stakeholders Meeting and said he was honored to be a member of the youth board. They are setting a ND Youth Advisory Council. He closed by saying that when the system takes over care of a child, they are saying that they can do a better job than the parents. That is what he would like to see. He would like to have confidence in knowing that the system for those coming up will do a better job than the parents and will help those individuals succeed in the real world.

Senator J. Lee asked if he had medical insurance available now.

Mr. Stautz said until the age of 21 as long as he is enrolled in the University. (Meter 18:30) He talked about it being cancelled on the 18<sup>th</sup> birthday and the necessity to reapply for Medicaid.

Senator J. Lee asked how he knew he had to reapply.

Mr. Stautz said he had the help of his independent living case worker.

Senator J. Lee cited a case history (meter 19:40). Services could continue from the school if this person stayed in school until she was 21. She chose to graduate so she could no longer receive those services. She asked if he had any comments or knew of others who suffered through that.

Mr. Stautz said he did. For individuals who are enrolled in school the Medicaid coverage is still there, but to his knowledge, if someone graduates with an Associate's Degree and doesn't go back to school, or if they drop out of college or higher education, then the coverage is discontinued.

Senator Warner asked if he had custody of his son.

Mr. Stautz replied that he did, they have joint custody.

(Meter 21:25) Senator Warner asked him to talk about the problems of a college student finding day care. He talked about how difficult it is.

Senator Dever asked his age and if was completely on his own.

Mr. Stautz replied that he was 18 and said he did have permanency with his former foster family. They took him in as their own. He does live on his own and pay his own bills; however, he does have the support of his foster family. He continued answering questions from Senator Dever about his schooling and goals for the future.

Senator J. Lee asked who signs the consent when they are in foster care and they need parental consent.

Mr. Stautz said, in his case, his DJS worker did. (Meter 26:10)

Sanya Kom testified in support of SCR 4025. (Meter 27:05) She told her story of being in the foster care system and her transition period. She said there was nobody there to help her with the transition except her boyfriend. She eventually found some sources to go back on through independent people in Bismarck and she is currently in her 3<sup>rd</sup> year at BSC. It is slow going since she now has children and child care is a big problem.

Senator J. Lee asked how she finally found out that Medicaid was available for her.

Ms. Kom said she went to Youth Works and they helped her.

Senator J. Lee asked if she had a connection with her foster family after age 18.

Ms. Kom said no.

Senator J. Lee asked if she saw a benefit to being able to maintain that connection.

Ms. Kom said it really would have been nice to have support and somebody to talk to and someone to help direct her in the right way.

Senator J. Lee asked how she found out about Youth Works.

Ms. Kom explained that she remembered she had been placed with them overnight when she was younger that they had said if she ever needed anything to come back.

Senator Dever asked if she knew of others in similar situations.

Ms. Kom said she knew of others with the same problems.

Senator Dever asked if she sees herself being self sufficient some day.

Ms. Kom said that is the goal when she is done with school.

Kevin Stautz testified in favor of SCR 4025. He has been in the foster care system for six years and will be there until he graduates from high school. He is currently 17 and in the 10<sup>th</sup> grade. It is scary for him to graduate knowing what problems others have had.

Senator Warner asked if he is in the same foster family as his brother.

Kevin said he was and would be there until he graduated.

Senator Warner asked about the driver's license issue and the problems involved in getting one when in foster care.

Kevin said his foster parent had to sign him on to his insurance. It was a complicated process since he wasn't his legal guardian.

Senator J. Lee asked if this was the good heart of the foster family that prevailed here with the licensing and insurance.

Don Snyder answered the question. He said there has to be somebody that can sign the foster child licensing. It is almost always the custodian. Then it becomes where the insurance comes from. If the youth isn't old enough to have a job, the system can't kick in to pay for those insurances. Unless they are over 16 there are some situations where, if the custodian will sign for the liability, then they can kick in with some help for insurances under the

independent living program that all the youth are under now. It has to be tied into employment or education. But it's the signature of who's going to be responsible as a third party.

Shari Doe (Social Service Director in Burleigh County) offered comments on the driver's license issue in foster care. (Meter 41:30) It is a problem. She does think foster children should have the opportunity to have a driver's license. Liability is a huge issue.

There was no opposing or neutral testimony.

The hearing on SCR 4025 was closed.

**JOB # 3580**

Senator J. Lee reopened the hearing on SCR 4025 for additional information.

Dan Ulmer (Board Member for the Village Family Services, Fargo) said they do a lot of in home type care that dovetails in to foster care etc. They have a Bush Grant over the next three years to work with in home keeping extended families together. There is a truancy program where they try to reinforce the child system within their own family system. They have been trying to find a vehicle for the interim to study and roll this into, what's going on in foster care, in home care, etc.

Senator J. Lee closed the hearing.

**JOB # 3596**

Senator J. Lee opened SCR 4025 for discussion (Meter 4:00). She asked the committee if it said everything they wanted it to say.

Discussion brought out that the biggest part is probably somebody to mentor. The committee talked about "Youth Works". They also talked about transition for special education students.

Senator Heckaman moved a Do Pass.

The motion was seconded by Senator Warner.

Roll call vote 6-0-0. Motion carried. Carrier is Senator Warner.

Date: 2-21-07

Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SCR 4025

Senate HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Sen. Heckaman Seconded By Sen. Warner

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman	✓	
Senator Robert Erbele, V. Chair	✓		Senator Jim Pomeroy	✓	
Senator Dick Dever	✓		Senator John M. Warner	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Warner

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
February 21, 2007 3:36 p.m.

**Module No: SR-33-3634**  
**Carrier: Warner**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SCR 4025: Human Services Committee (Sen. J. Lee, Chairman) recommends DO PASS**  
**(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4025 was placed on the**  
**Eleventh order on the calendar.**

2007 HOUSE HUMAN SERVICES

SCR 4025

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SCR 4025

House Human Services Committee

Check here for Conference Committee

Hearing Date: March 20, 2007

Recorder Job Number: 5328

Committee Clerk Signature



Minutes:

**Chairman Price** opened the hearing on SRC 4025 and asked the clerk to read the title.

**Senator Judy Lee** from District 13 introduced resolution SCR 4025. What services are there for those who are not capable of taking care of all their needs? There are services for those between the ages of 18 and 21 if they are in the school system. If they graduate, they cannot provide any services for them. Many of these young adults are not capable of managing all of these things by themselves. These kids who are in foster care generally are not able to drive or get a driver's license in many cases because of the liability situations involved and in some situations this means they cannot get jobs. All of a sudden they are out on their own and quite happy on their 18<sup>th</sup> birthday to be liberated from this system. They then find themselves in the situation of not being able to cope and they don't succeed. We need some way of creating a safety net for those young people making the transition from foster care to adult living. Many of them do not have a great relationship with their foster parents and certainly would not be in foster care if they had a great relationship with their parents. We need to find a way to launch these young adults successfully.

**Dawn Pearson** who is the State Independent Living Administrator for the Children & Family Services Division, Dept. of Human Services came forward in support. See attached written testimony attached and marked as Item #1.

**Representative Conrad** asked how many people are helped through the Chafee Foster Care Independence Program.

**Ms. Pearson** said they have been through a major transition with their Independent Living Program in the last year. Prior to that transition, we were serving about 400 foster youth and former foster youth. Currently my federal report is due and we are at about 350 and what we have done in the transition is take a lot of the resources that was required to serve the 15 through 21 year olds and most of our resources have been going to the 15 to 18 year olds. We have taken a major part of those resources and put them to the 21 year olds because they so desperately needed it. It does leave gaps in the younger program and it doesn't meet the needs of the older program either.

**Representative Conrad** asked how many young people per year come out of foster care because they have turned 18.

**Ms. Pearson** said approximately 60 to 65.

**Representative Potter** asked how many young people do you serve besides those coming out of foster care. Maybe they have survived in their family environment until 18 and then need help.

**Ms. Pearson** said in order to be eligible for the Chafee Program you must have been in foster care.

**Representative Potter** asked if this study would be looking at all young people and not just those who had been in foster care.

**Ms. Pearson** said it is mainly looking at those who come out of foster care but also those who have spent significant time in foster care would also be considered in this study.

**Representative Potter** said she was anxious to hear more about the Chafee Foster Care Program. I don't know much about that. Would you tell us more about that?

**Ms. Pearson** said the Chafee Foster Care Program has been in the system since 1986 and it is a program to address the transition from foster care to independent living as they age out. It is a very small program and these youth have significant needs such as the educational piece, employment, and the connections through support of adults. The average age that many of our youth become totally self sufficient from their parents is 26 on the national level. An example would be if they go to college, where do they go at holidays or on breaks when the dorms are closed. It is things like this that we need to address.

**Representative Potter** asked how you do that and what is some of the process.

**Ms. Pearson** said that every 15 year old that enters foster care or turns 15 when they are in foster care are required to have an independent living plan. That plan gets more intricate as they get to the age of 18 and you see that they are going to age out and not going back to their families. We have eight regional Independent Living Coordinators throughout the state and they are responsible for the independent living plans for those youth. Unfortunately there are maybe 100 youth in each region that are 16 to 21 and there is only one coordinator. We try to get mentors assigned to the youth and it is a formal process. I see this study as enhancing what we already have. What we have is beneficial but it is not good enough.

**Representative Potter** said when a foster child turns 18 and they are basically done with high school, other than this one person, they don't live with the foster family anymore and are totally on their own.

**Ms. Pearson** said that was correct other than they do have the option if the youth chooses to go on to college. We can extend their stay with the foster family while they are in college. A lot of these youth adults are happy when they turn 18 and want to be done with the program. It doesn't take long and they are back requesting services from the regional coordinator.

**Sanya Kom**, a former participant in the youth foster program came forward in support of SCR 4025. She transitioned out of foster care in 2003. For her it was a very scary thing. She was not one of the youth that wanted to leave. At the time, she was 6 months pregnant with her daughter. She was scared and didn't want to be alone. She turned 18 in April and they let her stay in care until she was done with high school. She left in June. She had nobody, no money and no where to go for anything. I had been in and out of care since I was 13 so I was so system raised that I didn't know what to do or where to go. Once I turned 18 I didn't know what was out there. I was so used to people telling me what to do every day. It would have been nice to know some of things I needed to know to transition in order to live. I didn't know how to pay my bills or take care of myself, let alone a baby. I had no support emotionally or financially. I was on my own to deal with adult living. I didn't know how to go about getting Medicaid as I was pregnant with my daughter. I had no money and things were really rough until I found out how to access ET funding. I got a coordinator that helped me fill out my paperwork for college. It took an entire year to find out about the program and we had hit rock bottom. We were completely broke. After I got my coordinator we set up a plan and what to do. Things are better and I am in my third year of nurses training. It would have been nice to have the support.

**Chairman Price** asked for further testimony in support of SCR 4025. Hearing none, she asked for opposition to SCR 4025. Hearing none, she closed the hearing on SCR 4025.

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SCR 4025

House Human Services Committee

Check here for Conference Committee

Hearing Date: March 20, 2007

Recorder Job Number: 5331

Committee Clerk Signature

*Shirley B. Blomsted*

Minutes:

**Chairman Price** asked the committee to consider SCR 4025.

**Representative Conrad** made a motion for a **do pass on SCR 4025 and to be placed on the consent calendar.**

**Representative Potter** seconded the motion.

**Chairman Price** asked for discussion. Hearing none, a voice vote was taken. The motion carried.

**Representative Conrad** will carry this bill to the floor.

Date: 3/20  
Roll Call Vote #:

**2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."**

House HUMAN SERVICES SCR 4025 Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken No Pass Consent Calendar

Motion Made By Rep. Conrad Seconded By Rep. Potter

Representatives	Yes	No	Representatives	Yes	No
Clara Sue Price – Chairman			Kari L Conrad		
Vonnie Pietsch – Vice Chairman			Lee Kaldor		
Chuck Damschen			Louise Potter		
Patrick R. Hatlestad			Jasper Schneider		
Curt Hofstad					
Todd Porter					
Gerry Uglem					
Robin Weisz					

Total (Yes) 12 "Click here to type Yes Vote" No 0 "Click here to type No Vote"

Absent 0

Floor Assignment Rep. Conrad

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
March 20, 2007 12:37 p.m.

**Module No: HR-52-5739**  
**Carrier: Conrad**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SCR 4025: Human Services Committee (Rep. Price, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4025 was placed on the Tenth order on the calendar.**

2007 TESTIMONY

SCR 4025

**Testimony  
Senate Concurrent Resolution 4025  
Senator Lee, Chairman  
Senate Human Services Committee  
February 21, 2007**

Senator Lee and members of the Human Services Committee, my name is Don Snyder; I am the Foster Care Administrator for the Children and Family Services Division, Department of Human Services. I am here to offer testimony in support of Senate Concurrent Resolution 4025.

Most young people make the transition from adolescence to adulthood with the support of their families, communities, and schools. However, some of our state's most vulnerable youth—youth aging out of the foster care system—lack this much-needed familial and social support. As a result, foster youth face enormous challenges in making a smooth transition to adulthood and building successful lives. Data indicates that former foster youth have higher rates of poverty, homelessness, victimization, criminal involvement/incarceration, low educational attainment, unemployment, mental health & substance abuse, and early child-bearing.

The fate of these young people impacts us all. As a state, we cannot afford the high costs that result from ignoring the plight of these youth. To keep our economy strong, our community safe, and our young people on track, we must work together to create opportunities to connect all youth to the education, employment, and support they need to transition into a successful adult life.

In 2001, North Dakota set the standard for foster care youth, scoring the highest of all fifty states in the Federal Child and Family Services Review

(CFSR). In spite of these accomplishments, the accessibility of affordable housing, medical insurance/Medicaid, education, employment, and connections to supportive adults continue to be major obstacles for youth aging out of foster care in our state. Our state's Chafee Foster Care Independence Program provides excellent opportunities to many youth, however, this resource alone is not nearly sufficient to meet the needs of all.

We offer the following examples outlining other states have accomplished through their efforts at eliminating these obstacles:

- Over 40% of states have passed legislation allowing Medicaid Waivers for former foster youth through the age of 21. This is known as the "Chafee Option" resulting from The Foster Care Independence Act of 1999 (P.L. 106 – 169) and the Deficit Reduction Act of 2005 (DRA, P.L. 109-171) which, provided states the opportunity to extend Medicaid coverage to youth aging out of foster care.
- 16 states have passed legislation waiving tuition for former foster youth at state supported post-secondary schools.
- Many states have state-wide youth advisory boards which provides a forum for foster and former foster youth to have a voice in the system.
- ND is one of five states that do not receive FYSB (Family Youth Services Bureau) funding for Transitional Living Programs.
- The Federal Office of Child Support Enforcement (OCSE), Section 1115 Grant Proposal: This grant is a collaborative effort between North Dakota Child Support and Child Welfare, which proposes that child support payments accumulate in a trust fund

during the child's stay in foster care. Older foster youth would benefit from these trust accounts following their discharge from foster care.

When a child enters the foster care system, it becomes the responsibility of the state to ensure that these youth have the opportunities to become successful, self-sufficient adults.

In conclusion, the Department of Human Services supports Senate Concurrent Resolution 4025.

I would be happy to answer any questions you might have.

**Testimony**  
**Senate Concurrent Resolution 4025**  
**Representative Price, Chair**  
**House Human Services Committee**  
**March 20, 2007**

Chair Price and members of the Human Services Committee, my name is Dawn Pearson; I am the State Independent Living Administrator for the Children and Family Services Division, Department of Human Services. I am here to offer testimony in support of Senate Concurrent Resolution 4025.

Most young people make the transition from adolescence to adulthood with the support of their families, communities, and schools. However, some of our state's most vulnerable youth—youth aging out of the foster care system—lack this much-needed familial and social support. As a result, foster youth face enormous challenges in making a smooth transition to adulthood and building successful lives. Data indicates that former foster youth have higher rates of poverty, homelessness, victimization, criminal involvement/incarceration, low educational attainment, unemployment, mental health & substance abuse, and early child-bearing.

The fate of these young people impacts us all. As a state, we cannot afford the high costs that result from ignoring the plight of these youth. To keep our economy strong, our community safe, and our young people on track, we must work together to create opportunities to connect all youth to the education, employment, and support they need to transition into a successful adult life.

In 2001, North Dakota set the standard for foster care youth, scoring the highest of all fifty states in the Federal Child and Family Services Review (CFSR). In spite of these accomplishments, the accessibility of affordable housing, medical insurance/Medicaid, education, employment, and connections to supportive adults continue to be major obstacles for youth aging out of foster care in our state. Our state's Chafee Foster Care Independence Program provides opportunities for some youth, however this study would allow the opportunity for the Legislature to explore additional possibilities for expanding upon the resources and programming currently available.

In conclusion, the Department of Human Services supports Senate Concurrent Resolution 4025.

I would be happy to answer any questions you might have.