

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SUBCOMMITTEE RECOMMENDATION

FOR

HOUSE BILL NO. 3116

By: Hill

SUBCOMMITTEE RECOMMENDATION

An Act relating to children; amending 10A O.S. 2011, Section 1-9-107, as last amended by Section 2, Chapter 243, O.S.L. 2019 (10A O.S. Supp. 2019, Section 1-9-107), which relates to the Successful Adulthood Act; modifying requirements for certain services; allowing services to continue until certain age if individual is in custody of Department of Human Services or Indian tribe at sixteenth birthday; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-9-107, as last amended by Section 2, Chapter 243, O.S.L. 2019 (10A O.S. Supp. 2019, Section 1-9-107), is amended to read as follows:

Section 1-9-107. A. This section shall be known and may be cited as the "Successful Adulthood Act".

B. The purpose of the Successful Adulthood Act shall be:

1. To ensure that eligible individuals, who have been or are in the foster care program of the Department of Human Services or a federally recognized Indian tribe with whom the Department has a

1 contract, due to abuse or neglect, receive the protection and
2 support necessary to allow those individuals to become self-reliant
3 and productive citizens through the provision of requisite services
4 that include, but are not limited to, transitional planning,
5 housing, medical coverage, and education; provided, that eligibility
6 for tuition waivers shall be as set forth in Section 3230 of Title
7 70 of the Oklahoma Statutes;

8 2. To break the cycle of abuse and neglect that obligates the
9 state to assume custody of children; and

10 3. To help children who have experienced foster care at age
11 fourteen (14) or older achieve meaningful permanent connections with
12 a caring adult.

13 C. An individual is eligible to receive services for the
14 transition of the child to a successful adulthood from the age of
15 fourteen (14) until the age of eighteen (18), during the time the
16 individual is in the custody of the Department or a federally
17 recognized Indian tribe and in an out-of-home placement.

18 D. The permanency plan for the child in transition to a
19 successful adulthood shall be developed in consultation with the
20 child and, at the option of the child, with up to two members of the
21 permanency planning team to be chosen by the child, excluding the
22 foster parent and caseworker for the child, subject to the following
23 provisions:
24

1 1. One individual selected by the child may be designated to be
2 the advisor and, as necessary, advocate of the child, with respect
3 to the application of the reasonable and prudent parent standard to
4 the child; and

5 2. The Department may reject an individual selected by the
6 child to be a member of the permanency planning team at any time if
7 the Department has good cause to believe that the selected
8 individual would not act in the best interests of the child.

9 E. 1. Each child in foster care under the responsibility of
10 the Department or a federally recognized Indian tribe and in an out-
11 of-home placement, who has attained fourteen (14) years of age shall
12 be given a written Notice of Rights that describes the following
13 specific rights of the child:

14 a. the rights of the child with respect to education,
15 health, visitation, and court participation,

16 b. the right to be provided with the documents specified
17 in subsection F of this section, and

18 c. the right to stay safe and avoid exploitation.

19 2. The child shall sign an acknowledgment stating that the
20 child has been provided with a copy of the Notice of Rights and that
21 the rights described in the notice have been explained to the child
22 in an age-appropriate way.

23 F. A child about to leave foster care by reason of having
24 attained eighteen (18) years of age and who has been in foster care

for at least six (6) months shall be given the following documents
pertaining to the child:

1. An official or certified copy of the United States birth
certificate;

2. A Social Security card issued by the Commissioner of Social
Security;

3. Health insurance information;

4. A copy of the medical records of the child;

5. A state-issued driver license or identification card; and

6. Official documentation necessary to show that the child was
previously in foster care.

G. Successful adulthood services may continue to the age of
twenty-one (21), provided the individual is in the custody of the
Department or a federally recognized Indian tribe due to abuse or
neglect and is in an out-of-home placement at the time of the
individual's ~~eighteenth~~ sixteenth birthday.

H. Individuals who are sixteen (16) years of age or older, who
have been released from the custody of the Department or federally
recognized Indian tribe due to the entry of an adoption decree or
guardianship order are eligible to receive successful adulthood
services until the age of twenty-one (21).

I. Individuals who are eligible for services pursuant to the
Successful Adulthood Act and who are between eighteen (18) and
twenty-one (21) years of age shall be eligible for Medicaid

1 coverage, provided such individuals were also in the custody of the
2 Department or a federally recognized Indian tribe on the date they
3 reached eighteen (18) years of age and meet Medicaid financial
4 eligibility guidelines.

5 J. The Department, in conjunction with the Oklahoma State
6 Regents for Higher Education, shall provide parents and legal
7 guardians of foster youth with information on the Oklahoma Higher
8 Learning Access Program (OHLAP) including, but not limited to,
9 eligibility, application guidelines, academic requirements, and any
10 other information required by the Oklahoma Higher Learning Access
11 Act for participation in the Program.

12 SECTION 2. This act shall become effective November 1, 2020.

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