

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 3116

By: Hill

6 AS INTRODUCED

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

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

15 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-9-107, as
16 last amended by Section 2, Chapter 243, O.S.L. 2019 (10A O.S. Supp.
17 2019, Section 1-9-107), is amended to read as follows:

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

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

21 1. To ensure that eligible individuals, who have been or are in
22 the foster care program of the Department of Human Services or a
23 federally recognized Indian tribe with whom the Department has a
24 contract, due to abuse or neglect, receive the protection and

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

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

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

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

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

23 1. One individual selected by the child may be designated to be
24 the advisor and, as necessary, advocate of the child, with respect

1 to the application of the reasonable and prudent parent standard to
2 the child; and

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

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

- 12 a. the rights of the child with respect to education,
13 health, visitation, and court participation,
- 14 b. the right to be provided with the documents specified
15 in subsection F of this section, and
- 16 c. the right to stay safe and avoid exploitation.

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

21 F. A child about to leave foster care by reason of having
22 attained eighteen (18) years of age and who has been in foster care
23 for at least six (6) months shall be given the following documents
24 pertaining to the child:

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

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

5 3. Health insurance information;

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

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

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

10 G. Successful adulthood services may continue to the age of
11 twenty-one (21), provided the individual is in the custody of the
12 Department or a federally recognized Indian tribe due to abuse or
13 neglect and is in an out-of-home placement at the time of the
14 individual's ~~eighteenth~~ seventeenth (17) birthday.

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

20 I. Individuals who are eligible for services pursuant to the
21 Successful Adulthood Act and who are between eighteen (18) and
22 twenty-one (21) years of age shall be eligible for Medicaid
23 coverage, provided such individuals were also in the custody of the
24 Department or a federally recognized Indian tribe on the date they

1 reached eighteen (18) years of age and meet Medicaid financial
2 eligibility guidelines.

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

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

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