



**New York State
Office of
Children & Family
Services**

**TESTIMONY
OF
LINDA C. BROWN
ASSISTANT COMMISSIONER FOR REGIONAL
OPERATIONS
TO THE ASSEMBLY
STANDING COMMITTEE ON CHILDREN AND FAMILIES
AND
SUBCOMMITTEE ON FOSTER CARE
PUBLIC HEARING
DECEMBER 14, 2007
YORK COLLEGE – JAMAICA, NEW YORK**

Good morning Chairman Scarborough, Assemblymember Titus and distinguished members of the New York State Assembly. My name is Linda Brown and I am the Assistant Commissioner for the Bureau of Regional Operations at the Office of Children and Family Services (OCFS). I am joined today by Pat Beresford, the Director of OCFS' New York City Regional Office. It is our pleasure to be here today to speak with you about the critical issue of the needs of youth who age out of the foster care system.

The needs of youth who age out of the foster care system is a very important issue for us at OCFS. It is also an issue that I have been personally working on for several years through my involvement with the Adolescent Services and Outcomes Workgroup. In July of 2004, the Workgroup issued the Adolescent Services and Outcomes Practice Guidance Paper to local social services districts and voluntary agencies. The Guidance Paper was updated in April of 2006 and provides a framework for practice to strengthen services to youth in foster care and former foster care youth to help them make a successful transition to adulthood. This new framework for practice focuses on establishing permanent, nurturing adult connections for adolescents in foster care as well as providing these youth with life skills. OCFS now offers training on this framework for local social services districts and voluntary agencies. In addition, the Adolescent Services Resource Network also offers training on the new framework at four regionally based centers.

While OCFS is proud of the work that has been done to enhance service delivery to adolescent foster care youth, we agree that far more must be done to address their needs. Once a youth in foster care turns 18, he or she must consent to remain in care. OCFS regulations require that each youth being discharged to the community, also known as Another Planned Permanent Living Arrangement (APLA), be provided with written notice of the discharge 90 days prior to the actual planned discharge. At the time of the 90 day notice, the caseworker is prompted to document in the youth's case record responses to a set of questions that address housing, income, medical coverage, arrangements to receive essential documents, arrangements with any needed service providers, and any safety concerns. In addition, all youth discharged to APLA are supposed to have an identified adult permanency resource. This means that the local district should determine that there is an adult in the youth's life who is an appropriate and acceptable resource for the youth and who is committed to providing emotional support, advice, and guidance to the youth and to assist the youth as he or she transitions from foster care to independence.

All planned discharges to APLA are initiated through the use of a trial discharge period. During this trial discharge, the local district retains custody of the youth for at least six months or until the youth turns 21, whichever occurs first. There are requirements for casework contacts and service provision during this time. If a youth loses housing during the trial discharge, the district is required to assist the youth in finding other appropriate housing or it must replace the youth in a foster care setting if necessary. This is an important safety net for youth as there is currently no ability for these individuals to re-enter care after age 18 once they have been finally discharged. This access to re-entry is an issue that OCFS would like to address in partnership with the Legislature.

After the APLA trial discharge period is complete, the district must maintain supervision of the youth until he or she turns 21. While the district no longer maintains custody, supervision should include casework contacts and referrals to needed services including housing and income supports with sufficient follow up to determine if the youth has begun to receive the services.

While these requirements are now in place, the reality of their implementation is an enormous challenge for local districts. Because young people between the ages of 18 and 21 are developmentally at a point when they are trying to master the task of becoming independent adults, they often refuse to consent to continue in care or to participate in aftercare and/or supervision. In addition, they often move frequently and lack stable addresses. Continued contact in these instances is challenging, at best. Local social services districts also vary in their ability to effectively manage these requirements in ways that benefit youth aging out.

For youth who do stay connected to the foster care system, services may be available. Every local social services district must have an Independent Living Program for foster care youth age 14 and older and for former foster care youth. The local social services districts can either provide these services to youth directly or through purchase of services contracts. Each local program is required to have: assessment and case planning, educational services including academic support services and vocational training, life skills training, independent living stipends, and aftercare services. In addition, local districts have the option to provide room and board payments. Some model programs, such as the Erie County Department of Social Services *Independent Bound Program*, the *Work Appreciation for Youth Program* at Children's Village, and the *Passport to Success Program* at the DOOR have found ways to package these services effectively for adolescents.

However, there are three critical areas of support for these young people that must be strengthened. First, there should be more emphasis on education. Youth should be offered assistance at an early age to begin to see college or vocational training as a viable option. They need help developing the skills to both get into post-secondary or vocational training programs and to complete their programs once enrolled.

The Education and Training Voucher (ETV) program is a positive educational support that many foster care and former foster care youth have utilized. Since the program's inception in Federal Fiscal Year (FFY) 2002-03, OCFS has funded over 800 youth in the ETV program annually. OCFS contracts with the Orphan Foundation of America (OFA) to administer the program. The funds go directly from the OFA to the youth. These funds can be used for tuition, loans, school supplies, housing, child care, health care, transportation, and living expenses. In addition, because of the partnership with the OFA, each youth new to the ETV program receives his or her own computer and all ETV youth receive care packages and other support services from the OFA. Thirty three counties participated in the program in FFY 2006-07 and 810 youth were served. Counties are required to fund a 12.5 percent local match required under the ETV program. Unfortunately, the federal funding for this program has decreased over the

years because funding levels are based on each state's total foster care population. Despite the fact that New York has experienced an increase in its adolescent foster care population, the overall decline in foster care in New York has meant a decrease in ETV funds.

The second major issue for these young people is health care. Many foster care youth have significant physical and mental health needs. Youth who leave foster care at age 18 are guaranteed continued Medicaid coverage for twelve months, until the youth turns 19. However, youth who are discharged at age 19 or 20 currently have no method for ensuring Medicaid access outside of the standard Medicaid application process and eligibility rules that apply for all single adults. A gap in health insurance can often lead to the cessation of mental health medications and the absence of preventive healthcare for these young people. We do not have data on the number of youth who age out without health insurance. However, in 2006, 910 youth ages 19 and 20 were discharged from foster care and risked losing their health insurance. OCFS is very interested in partnering with the Legislature to adopt the Chafee option that would allow New York to expand Medicaid access to former foster care youth who age out of the system until they turn 21.

Stable housing is the third major challenge that young people face when they age out of foster care. The NY/NY III agreement calls for the creation of approximately 100 congregate care beds and 100 scattered site beds in New York City for these youth. Two of the congregate sites that will provide housing for approximately 46 young people are expected to be available soon. Construction on a larger congregate program is scheduled to begin this January. The scattered site programs will be operated by four foster care agencies and are also scheduled to be available soon. In addition, priority is given for this population for a limited number of Section 8 vouchers. However, those in the field report that there is a scarcity of Section 8 vouchers and there is a lengthy wait to obtain the limited vouchers that are available. Finally, the State does allow for a small housing subsidy of \$300 per month for these youth. While there is little formal data on the rates of homelessness for former foster care youth, we know anecdotally that many of the young people in shelters come from the foster care system and that homelessness is a serious issue for this population.

Each of these challenges are sometimes compounded by the fact that some youth are parents themselves at the time that they age out of the foster care system. Nationally, the rates of pregnancy for youth in foster care are higher than the pregnancy rates for youth not in foster care. The issues of education, health care, and housing can be exacerbated by the fact that a youth may need to access resources for herself and for her child. New York State needs to have better data on pregnancy rates for youth in foster care so that these issues can be appropriately addressed. This is an area that OCFS would like to explore further.

The larger issue of data collection on outcomes for youth who age out is also one in which OCFS is very interested. There is currently no funding for data collection initiatives for this population. The federal government has outlined a plan that will require states to engage in data collection on outcomes for youth ages 17, 19, and 21

years in areas such as educational attainment, employment, homelessness, avoidance of dependency, non-marital childbirth, incarceration, and high-risk behaviors. However, implementation of this data collection plan, which was initially targeted by the federal government for October 2003, has not yet occurred. Currently, there is an effort underway to match foster care records with public assistance records to identify youth who left foster care at age 18 and subsequently received public assistance. However, OCFS is very interested in having the resources necessary to engage in a much broader tracking initiative.

The young people who exit foster care to the community as adolescents need and deserve the supports necessary to develop into self-sufficient and successful adults. Too many of these young people instead end up pregnant, homeless or incarcerated. OCFS believes that outcomes for this population can be improved. As you will see when the young people from Youth in Progress testify, there are also many young people who age out of foster care with the skills and supports necessary to provide significant positive contributions to our communities. OCFS looks forward to the opportunity to partner with the Legislature in an effort to create the supports necessary for youth aging out of foster care to thrive.

We appreciate the invitation to testify this morning and will do our best to answer any questions you may have. Thank you.