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(Original Signature of Member)

119TH CONGRESS  
2D SESSION

# H. R.

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To provide an incentive for States to extend child welfare support and services for youth through 21 years of age, and to allow youth to re-enter foster care after attaining 18 years of age, both without regard to the AFDC eligibility of their parents or legal guardians, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Ms. CHU introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To provide an incentive for States to extend child welfare support and services for youth through 21 years of age, and to allow youth to re-enter foster care after attaining 18 years of age, both without regard to the AFDC eligibility of their parents or legal guardians, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Increasing Access to  
3 Foster Care Through Age 21 Act”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds that each additional year in ex-  
6 tended foster care has—

7 (1) significantly increased the probability that  
8 youth completed a high school credential by approxi-  
9 mately 8 percent;

10 (2) increased their expected probability of en-  
11 rolling in college by between 5 percent and 12 per-  
12 cent;

13 (3) increased the amount of time that youth be-  
14 tween ages 21 and 23 have been employed by ap-  
15 proximately 1.5 months;

16 (4) increased the amount of money youth have  
17 had in bank accounts by an average of approxi-  
18 mately \$650;

19 (5) increased the odds that youth feel they have  
20 enough people to turn to for emotional support, tan-  
21 gible support, and advice or guidance;

22 (6) decreased the odds that youth were food in-  
23 secure in the past 12 months by approximately 21  
24 percent;

1           (7) increased the total earnings of youth be-  
2           tween ages 21 and 23 by approximately \$2,300 to  
3           \$3,200;

4           (8) decreased the odds of being homeless or  
5           couch-surfing between the ages of 21 and 23 by ap-  
6           proximately 19 percent;

7           (9) reduced the likelihood of youth pregnancy at  
8           ages 19 and 21 by 7 percent and 12 percent, respec-  
9           tively; and

10          (10) decreased the odds that youth have been  
11          arrested recently by approximately 28 percent.

12 **SEC. 3. EXTENDED CHILD WELFARE SUPPORT AND SERV-**  
13 **ICES FOR YOUTH TRANSITIONING FROM FOS-**  
14 **TER CARE.**

15          (a) IN GENERAL.—Section 475(8) of the Social Secu-  
16          rity Act (42 U.S.C. 675(8)) is amended—

17               (1) by striking “subparagraph (B)” and insert-  
18               ing “subparagraphs (B) and (C)”;

19               (2) by striking subparagraph (B) and inserting  
20               the following:

21               “(B) At the option of the State and youth in-  
22               volved, the term shall include a youth who is in fos-  
23               ter care under the responsibility of the State.”; and

24               (3) by adding at the end the following:

25               “(C) The term shall include a youth—

1           “(i)(I) with respect to whom an adoption  
2 assistance agreement is in effect under section  
3 473 if the youth had attained 16 years of age  
4 before the agreement became effective; or

5           “(II) with respect to whom a kinship  
6 guardianship assistance agreement is in effect  
7 under section 473(d) if the youth had attained  
8 16 years of age before the agreement became  
9 effective; and

10           “(ii) who has not attained 19, 20, 21, or  
11 22 years of age, as the State may elect.

12           “(D) In this paragraph, the term ‘youth’ means  
13 an individual—

14           “(i) who has attained 18 years of age; and

15           “(ii) who has not attained 22 years of  
16 age.”.

17       (b) **GUIDANCE AND TECHNICAL ASSISTANCE.**—The  
18 Secretary of Health and Human Services shall provide  
19 guidance and technical assistance to States on best prac-  
20 tices for outreach to youth who are newly eligible for serv-  
21 ices as a result of the enactment of this section.

22 **SEC. 4. PROMOTING THE RE-ENTRY OF YOUTH INTO EX-**  
23 **TENDED FOSTER CARE.**

24       (a) **IN GENERAL.**—Section 471(a) of the Social Secu-  
25 rity Act (42 U.S.C. 671(a)) is amended—

1 (1) by striking “and” at the end of paragraph  
2 (36);

3 (2) by striking the period at the end of para-  
4 graph (37) and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(38) if the State exercises the option provided  
7 for in section 475(8), shall—

8 “(A) permit any youth who has attained  
9 18 years of age and meets the requirements of  
10 section 475(8)(C) to voluntarily re-enter foster  
11 care; and

12 “(B) facilitate the voluntary return of any  
13 such youth to foster care.”.

14 (b) **GUIDANCE AND TECHNICAL ASSISTANCE.**—The  
15 Secretary of Health and Human Services shall provide  
16 guidance and technical assistance to States on best prac-  
17 tices for outreach to youth who have left foster care and  
18 are otherwise eligible for re-entry into foster care.

19 **SEC. 5. PROVIDING FOR STATES TO IMPROVE OUTCOMES**  
20 **FOR TRANSITION-AGED YOUTH AND YOUNG**  
21 **ADULTS.**

22 Section 472(a)(1)(B) of the Social Security Act (42  
23 U.S.C. 672(a)(1)(B)) is amended by inserting “except in  
24 the case of a youth who has attained 18 years of age and

1 meets the requirements of section 475(8)(C),” before “the  
2 child”.

3 **SEC. 6. EFFECTIVE DATE.**

4 (a) IN GENERAL.—The amendments made by this  
5 Act shall take effect on the 1st day of the 1st fiscal year  
6 beginning on or after the date of the enactment of this  
7 Act, and shall apply to payments under part E of title  
8 IV of the Social Security Act for calendar quarters begin-  
9 ning on or after such date.

10 (b) DELAY PERMITTED IF STATE LEGISLATION RE-  
11 QUIRED.—If the Secretary of Health and Human Services  
12 determines that State legislation (other than legislation  
13 appropriating funds) is required in order for a State plan  
14 developed pursuant to part E of title IV of the Social Se-  
15 curity Act to meet the additional requirements imposed  
16 by the amendments made by this Act, the plan shall not  
17 be regarded as failing to meet any of the additional re-  
18 quirements before the 1st day of the 1st calendar quarter  
19 beginning after the first regular session of the State legis-  
20 lature that begins after the date of the enactment of this  
21 Act. For purposes of the preceding sentence, if the State  
22 has a 2-year legislative session, each year of the session  
23 is deemed to be a separate regular session of the State  
24 legislature.

1 **SEC. 7. WORKFORCE DEVELOPMENT.**

2       Within 90 days after the date of the enactment of  
3 this Act, the Secretary of Health and Human Services,  
4 through the Administration for Children and Families,  
5 shall, in consultation with the Secretary of Labor, develop  
6 and issue guidance to State and local agencies operating  
7 a program under a State plan approved under part E of  
8 title IV of the Social Security Act on how case workers  
9 can connect youth eligible for foster care to workforce de-  
10 velopment programs under title I of the Workforce Innova-  
11 tion and Opportunity Act through the implementation of  
12 an amendment made by section 3 or 4 of this Act .