

An Act

ENROLLED HOUSE
BILL NO. 1709

By: Hill, Lawson, Randleman,
Munson, Fugate, Dills and
Provenzano of the House

and

Rosino of the Senate

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. 2020, 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 declaring an emergency.

SUBJECT: Children

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. 2020, 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 contract, due to abuse or neglect, receive the protection and support necessary to allow those individuals to become self-reliant and productive citizens through the provision of requisite services

that include, but are not limited to, transitional planning, housing, medical coverage, and education; provided, that eligibility for tuition waivers shall be as set forth in Section 3230 of Title 70 of the Oklahoma Statutes;

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

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

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

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

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

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

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

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

- b. the right to be provided with the documents specified in subsection F of this section, and
- c. the right to stay safe and avoid exploitation.

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

F. A child about to leave foster care by reason of having 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

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

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

SECTION 2. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 4th day of May, 2021.

Presiding Officer of the House
of Representatives

Passed the Senate the 13th day of April, 2021.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____