

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 141

By: Simpson

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5
6 AS INTRODUCED

7 An Act relating to foster care; amending 10A O.S.
8 2011, Section 1-9-107, as last amended by Section 9,
9 Chapter 173, O.S.L. 2015 (10A O.S. Supp. 2018,
10 Section 1-9-107), which relates to the Successful
11 Adulthood Act; adding documentation to be provided to
12 certain child leaving foster care; increasing age of
13 eligibility for certain services; and providing an
14 effective date.

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

16 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-9-107, as
17 last amended by Section 9, Chapter 173, O.S.L. 2015 (10A O.S. Supp.
18 2018, Section 1-9-107), is amended to read as follows:

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

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

22 1. To ensure that eligible individuals, who have been or are in
23 the foster care program of the Department of Human Services or a
24 federally recognized Indian tribe with whom the Department has a
25 contract, due to abuse or neglect, receive the protection and
26 support necessary to allow those individuals to become self-reliant

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

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

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

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

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

23 2. The Department may reject an individual selected by the
24 child to be a member of the permanency planning team at any time if

1 the Department has good cause to believe that the selected
2 individual would not act in the best interests of the child.

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

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

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

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

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

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

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

23 2. A social security card issued by the Commissioner of Social
24 Security;

- 1 3. Health insurance information;
- 2 4. A copy of the medical records of the child; ~~and~~
- 3 5. A state-issued driver license or identification card; and
- 4 6. Official documentation necessary to show that the child was
- 5 previously in foster care.

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

11 H. Individuals who are ~~fourteen (14)~~ sixteen (16) years of age
12 or older, who have been released from the custody of the Department
13 or federally recognized Indian tribe due to the entry of an adoption
14 decree or guardianship order are eligible to receive successful
15 adulthood services until the age of twenty-one (21).

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

23 J. The Department, in conjunction with the Oklahoma State
24 Regents for Higher Education, shall provide parents and legal

1 guardians of foster youth with information on the Oklahoma Higher
2 Learning Access Program (OHLAP) including, but not limited to,
3 eligibility, application guidelines, academic requirements, and any
4 other information required by the Oklahoma Higher Learning Access
5 Act for participation in the Program.

6 SECTION 2. This act shall become effective November 1, 2019.

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