

1 ENGROSSED SENATE
2 BILL NO. 763

By: Bass of the Senate

3 and

4 McDaniel (Jeannie) of the
5 House

6 An Act relating to the Department of Human Services;
7 amending 10A O.S. 2011, Section 1-9-107, which
8 relates to the Independent Living Act; requiring
9 Department to provide foster youth with certain
10 information; and providing an effective date

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

12 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-9-107, is
13 amended to read as follows:

14 Section 1-9-107. A. This section shall be known and may be
15 cited as the "Independent Living Act".

16 B. The purpose of the Independent Living Act shall be:

17 1. To ensure that eligible individuals, who have been or are in
18 the foster care program of the Department of Human Services or a
19 federally recognized Indian tribe with whom the Department has a
20 contract, due to abuse or neglect, receive the protection and
21 support necessary to allow those individuals to become self-reliant
22 and productive citizens through the provision of requisite services
23 that include, but are not limited to, transitional planning,
24 housing, medical coverage, and education, provided that eligibility

1 for tuition waivers shall be as set forth in Section 3230 of Title
2 70 of the Oklahoma Statutes; and

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

5 C. An individual is eligible to receive independent living
6 services from the age of sixteen (16) until the age of eighteen
7 (18), during the time the individual is in the custody of the
8 Department or a federally recognized Indian tribe and in an out-of-
9 home placement.

10 D. Independent living 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 birthday.

15 E. 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 independent living
19 services until the age of twenty-one (21).

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

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

3 G. 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, 2015.

11 Passed the Senate the 19th day of February, 2015.

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Presiding Officer of the Senate

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15 Passed the House of Representatives the ____ day of _____,

16 2015.

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Presiding Officer of the House
of Representatives

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