

118TH CONGRESS
2D SESSION

H. R. 7010

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.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2024

Ms. CHU (for herself and Mrs. HOUCHIN) introduced the following bill; which was referred to the Committee on Ways and Means

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,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. FINDINGS.**

2 The Congress finds that each additional year in ex-
3 tended foster care has—

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

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

10 (3) increased the number of quarters that youth
11 have been employed between their 18th and 21st
12 birthdays;

13 (4) increased the amount of money youth have
14 had in bank accounts by an average of approxi-
15 mately \$404;

16 (5) increased the odds that youth have de-
17 scribed a professional as a source of social support;

18 (6) significantly decreased the amount of money
19 youth have received in need-based public food assist-
20 ance by an average of more than \$700;

21 (7) decreased the odds of having experienced an
22 additional economic hardship between the ages of 17
23 and 21 by approximately 12 percent;

24 (8) decreased the odds of being homeless or
25 couch-surfing between the ages of 17 and 21 by ap-
26 proximately 28 percent;

1 (9) decreased the odds that youth have become
2 pregnant or impregnated a female between the ages
3 of 17 and 21 by approximately 28 percent; and

4 (10) decreased the odds that youth have been
5 arrested between the ages of 17 and 21 by approxi-
6 mately 41 percent and decreased the odds that
7 youth have been convicted of a crime during the
8 same period by approximately 40 percent.

9 **SEC. 3. EXTENDED CHILD WELFARE SUPPORT AND SERV-**
10 **ICES FOR YOUTH TRANSITIONING FROM FOS-**
11 **TER CARE.**

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

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

16 (2) by striking subparagraph (B) and inserting
17 the following:

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

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

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

23 “(i)(I) with respect to whom an adoption
24 assistance agreement is in effect under section

1 473 if the youth had attained 16 years of age
2 before the agreement became effective; or

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

8 “(ii) who has not attained 19, 20, 21, or
9 22 years of age, as the State may elect.

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

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

13 “(ii) who has not attained 22 years of
14 age.”.

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

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

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

24 (1) by striking “and” at the end of paragraph
25 (36);

1 (2) by adding “and” at the end of paragraph
2 (37); and

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

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

6 “(A) permit any youth who has attained
7 18 years of age and meets the requirements of
8 section 475(8)(C) to voluntarily re-enter foster
9 care; and

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

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

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

20 Section 472(a)(1)(B) of the Social Security Act (42
21 U.S.C. 672(a)(1)(B)) is amended by inserting “except in
22 the case of a youth who has attained 18 years of age and
23 meets the requirements of section 475(8)(C),” before “the
24 child”.

1 **SEC. 6. EFFECTIVE DATE.**

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

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

23 **SEC. 7. WORKFORCE DEVELOPMENT.**

24 Within 90 days after the date of the enactment of
25 this Act, the Secretary of Health and Human Services,
26 through the Administration for Children and Families,

1 shall, in consultation with the Secretary of Labor, develop
2 and issue guidance to State and local agencies operating
3 a program under a State plan approved under part E of
4 title IV of the Social Security Act on how case workers
5 can connect youth eligible for foster care by reason of an
6 amendment made by section 3 or 4 of this Act to work-
7 force development programs under title I of the Workforce
8 Innovation and Opportunity Act.

○