

1 ENGROSSED HOUSE
2 BILL NO. 3116

By: Hill and Branham of the
House

3 and

4 Scott of the Senate

5
6
7 [children - Successful Adulthood Act - effective
8 date]
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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-9-107, as
13 last amended by Section 2, Chapter 243, O.S.L. 2019 (10A O.S. Supp.
14 2019, Section 1-9-107), is amended to read as follows:

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

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

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

1 housing, medical coverage, and education; provided, that eligibility
2 for tuition waivers shall be as set forth in Section 3230 of Title
3 70 of the Oklahoma Statutes;

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

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

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

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

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

24

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

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

10 a. the rights of the child with respect to education,

11 health, visitation, and court participation,

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

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

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

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

23 1. An official or certified copy of the United States birth
24 certificate;

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

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

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

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

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

8 SECTION 2. This act shall become effective November 1, 2020.

9 Passed the House of Representatives the 3rd day of March, 2020.

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11 _____
12 Presiding Officer of the House
of Representatives

13 Passed the Senate the ___ day of _____, 2020.

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16 _____
17 Presiding Officer of the Senate