

AMENDED IN SENATE AUGUST 22, 2002

AMENDED IN SENATE JUNE 20, 2002

AMENDED IN ASSEMBLY MAY 31, 2001

AMENDED IN ASSEMBLY APRIL 24, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1119**

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**Introduced by Assembly Member Migden**

February 23, 2001

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An act to amend Section ~~11403.2~~ 1559.110 of the *Health and Safety Code*, and to amend Sections 11403.2 and 11403.3 of the *Welfare and Institutions Code*, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1119, as amended, Migden. Transitional housing placement services.

Under existing law, the Supportive Transitional Emancipation Program (STEP), emancipated foster youth are eligible to receive support while participating in an educational or training program, or any activity consistent with the youth's transitional independent living plan up to 21 years of age. Existing law provides that any person less than 21 years of age who is receiving aid pursuant to STEP, and who has emancipated from a county that has elected to participate in a transitional housing placement program for youths between 18 and 21 years of age, shall also be eligible for specified county transitional housing placement program services that provide supervised housing services.

This bill would eliminate the requirement that a youth receive aid pursuant to STEP in order to be eligible for the transitional housing placement services described in the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. *Section 1559.110 of the Health and Safety Code*  
2 *is amended to read:*

3 1559.110. (a) Except as specified in subdivision (e), the State  
4 Department of Social Services shall license community care  
5 facilities participating in transitional housing placement  
6 programs, as designated in Sections 11400 and 16522 of the  
7 Welfare and Institutions Code.

8 (b) Transitional housing placement programs shall provide  
9 supervised housing services to persons who are at least 16 years of  
10 age and not more than 18 years of age, except as provided in  
11 Section 11403 of the Welfare and Institutions Code, and who meet  
12 all of the following conditions:

13 (1) Meet the requirements of Section 11401 of the Welfare and  
14 Institutions Code.

15 (2) Are in out-of-home placement under the supervision of the  
16 county department of social services or the county probation  
17 department.

18 (3) Are participating in, or have successfully completed, an  
19 independent living program.

20 (c) A transitional housing placement program may also serve  
21 any person less than 21 years of age ~~who is receiving aid under~~  
22 ~~Section 11403.1~~ *pursuant to paragraph (2) of subdivision (a) of*  
23 *Section 11403.2* of the Welfare and Institutions Code.

24 (d) Transitional housing placement program services shall  
25 include any of the following:

26 (1) Programs in which one or more participants in the program  
27 live in an apartment, single-family dwelling, or condominium  
28 with an adult employee of the provider.

29 (2) Programs in which a participant lives independently in an  
30 apartment, single-family dwelling, or condominium rented or  
31 leased by the provider located in a building in which one or more  
32 adult employees of the provider reside and provide supervision.



1 (3) Programs in which a participant lives independently in an  
2 apartment, single-family dwelling, or condominium rented or  
3 leased by a provider under the supervision of the provider if the  
4 State Department of Social Services provides approval.

5 (e) A transitional housing placement facility that serves only  
6 eligible youth over 18 years of age who have emancipated from the  
7 foster care system shall not be subject to subdivision (a), provided  
8 the facility has been certified to provide transitional housing  
9 services by the appropriate county social services or probation  
10 department, and has obtained a local fire clearance. No later than  
11 June 30, 2002, the department shall establish certification  
12 standards and procedures in consultation with the County Welfare  
13 Directors Association, the California Youth Connection, the  
14 county probation departments, and provider representatives. The  
15 certification standards shall include, but not be limited to, a  
16 criminal background check of transitional housing providers and  
17 staff.

18 (f) (1) The department shall adopt regulations to govern  
19 transitional housing placement facilities licensed pursuant to this  
20 section.

21 (2) The regulations shall be age-appropriate and recognize that  
22 youth who are about to emancipate from the foster care system  
23 should be subject to fewer restrictions than those who are younger.  
24 At a minimum, the regulations shall provide for both of the  
25 following:

26 (A) Require programs that serve youth who are both in and out  
27 of the foster care system to have separate rules and program  
28 design, as appropriate, for these two groups of youth.

29 (B) Allow youth who have emancipated from the foster care  
30 system to have the greatest amount of freedom possible in order  
31 to prepare them for self-sufficiency.

32 *SEC. 2.* Section 11403.2 of the Welfare and Institutions Code  
33 is amended to read:

34 11403.2. (a) The following persons shall be eligible for  
35 transitional housing placement program services provided  
36 pursuant to Article 4 (commencing with Section 16522) of  
37 Chapter 5 of Part 4:

38 (1) Any minor at least 16 years of age and not more than 18  
39 years of age, except as provided in Section 11403, who is eligible



1 for AFDC-Foster Care benefits under this chapter and who meets  
2 the requirements in Section 16522.2.

3 (2) Any person less than 21 years of age who has emancipated  
4 from a county that has elected to participate in a transitional  
5 housing placement program for youths who are at least 18 years  
6 of age and under 21 years of age, as described in subdivision (r)  
7 of Section 11400, provided he or she has not received services  
8 under this paragraph for more than a total of 24 months, whether  
9 or not consecutive. *If the person participating in a transitional*  
10 *housing placement program is not receiving aid under Section*  
11 *11403.1, he or she, as a condition of participation, shall enter into,*  
12 *and execute the provisions of, a transitional independent living*  
13 *plan that shall be mutually agreed upon, and annually reviewed,*  
14 *by the emancipated foster youth and the county welfare or*  
15 *probation department or independent living program coordinator.*  
16 *The youth participating under this paragraph shall inform the*  
17 *county of any changes to conditions specified in the agreed upon*  
18 *plan that affect eligibility, including changes in address, living*  
19 *circumstances, and the educational or training program.*

20 (b) Payment on behalf of an eligible person receiving  
21 transitional housing services shall be made to the transitional  
22 housing placement program pursuant to the conditions and  
23 limitations set forth in Section 11403.3.

24 *SEC. 3. Section 11403.3 of the Welfare and Institutions Code*  
25 *is amended to read:*

26 11403.3. (a) (1) Subject to subdivision (b), a transitional  
27 housing placement program, as defined in Section 11400, that  
28 provides transitional housing services to an eligible youth in a  
29 facility licensed pursuant to subdivision (a) of Section 1559.110  
30 of the Health and Safety Code, shall be paid a monthly rate that is  
31 75 percent of the average foster care expenditures for foster youth  
32 16 to 18 years of age, inclusive, in group home care in the county  
33 in which the program operates.

34 (2) Subject to subdivision (c), a transitional housing placement  
35 program, as defined in Section 11400, that provides transitional  
36 housing services to an eligible youth in a facility certified pursuant  
37 to subdivision (e) of Section 1559.110 of the Health and Safety  
38 Code, shall be paid a monthly rate that is 70 percent of the average  
39 foster care expenditures for foster youth 16 to 18 years of age,



1 inclusive, in group home care in the county in which the program  
2 operates.

3 (b) Payment to a transitional housing placement program for  
4 transitional housing services provided to a person described in  
5 paragraph (1) of subdivision (a) of Section 11403.2 shall be subject  
6 to the following conditions:

7 (1) An amount equal to the base rate, as defined in subdivision  
8 (d), shall be paid for transitional housing services provided.

9 (2) Any additional amount payable pursuant to subdivision (a)  
10 shall be contingent on both of the following:

11 (A) The availability of moneys in the Transitional Housing for  
12 Foster Youth Fund established in Section 11403.4 to pay the state  
13 share of cost of the additional amount.

14 (B) Election by the county placing the youth in the transitional  
15 housing placement program to participate in the costs of the  
16 additional amount, pursuant to subdivision (g).

17 (c) (1) Payment to a transitional housing placement program  
18 for transitional housing services provided ~~to a person receiving aid~~  
19 ~~under Section 11403.1 pursuant to paragraph (2) of subdivision~~  
20 (a) of Section 11403.2 shall be subject to the following conditions:

21 (A) ~~An amount~~ Any Supportive Transitional Emancipation  
22 Program (STEP) payment payable pursuant to Section 11403.1  
23 shall be paid for transitional housing services provided.

24 (B) Any ~~additional~~ amount payable pursuant to subdivision (a)  
25 to a transitional housing placement program for services provided  
26 to a person described in paragraph (2) of subdivision (a) of Section  
27 11403.2 shall be paid contingent on both of the following:

28 (i) The availability of moneys in the Transitional Housing for  
29 Foster Youth Fund established in Section 11403.4 to pay the state  
30 share of cost of the ~~additional amount~~ payment.

31 (ii) Election by the county from which the person has  
32 emancipated to participate in the costs of the ~~additional amount~~  
33 payment, pursuant to subdivision (g).

34 (2) The department may limit new participants into transitional  
35 housing placement programs if costs for this subdivision are  
36 projected to exceed moneys available in the Transitional Housing  
37 for Foster Youth Fund established in Section 11403.4.

38 (d) (1) As used in this section, “base rate” means the rate a  
39 transitional housing placement program was approved to receive  
40 on June 30, 2001. If a program commences operation after this



1 date, the base rate shall be the rate the program would have  
2 received if it had been operational on June 30, 2001.

3 (2) Notwithstanding subdivision (a), no transitional housing  
4 placement program with an approved rate on July 1, 2001, shall  
5 receive a lower rate than its base rate.

6 (e) Any reductions in payments to a transitional housing  
7 placement program pursuant to the implementation of paragraph  
8 (2) of subdivision (b) or subparagraph (B) of paragraph (1) of  
9 subdivision (c) shall not preclude the program from acquiring  
10 from other sources, additional funding necessary to provide  
11 program services.

12 (f) The department shall develop, implement, and maintain a  
13 ratesetting system schedule for transitional housing placement  
14 programs pursuant to subdivisions (a) to (d), inclusive.

15 (g) Funding for the rates payable under this section shall be  
16 subject to the sharing ratios specified in subdivision (c) of Section  
17 15200.

