



**Testimony on Proposed Regulations on Services to Youth Ages 18-21**  
**Rhode Island Department of Children, Youth and Families**  
**Public Hearing, January 8, 2008**  
**Kat Keenan, Policy Analyst**  
**Rhode Island KIDS COUNT**

Thank you for the opportunity to submit Rhode Island KIDS COUNT's comments on proposed rules regarding services to youth ages 18-21.

We would like to make the following comments for your consideration and response in implementing policies regarding the delivery of services to youth ages 18-21 and the eligibility of youth for those services.

**Rhode Island KIDS COUNT**  
One Union Station  
Providence, RI 02903  
401/351-9400  
401/351/1758

1. Youth with serious emotional disturbances (SED) or youth with functional developmental disabilities (DD): The rules state under A-2-a, that in accordance with RIGL 42-72-3, a youth between eighteen (18) and twenty-one (21) years of age with a serious emotional disturbance (SED) or a functional developmental disability (DD) is considered to be a "child" for the purposes of the provisions of RIGL 42-72-5. Yet in section A-2-b, the rules state that in the event that a youth is unable to authorize the continuation of services, a youth's parent or legal guardian provides authorization for the youth to continue to receive services in accordance with the Department's service plan.

If the youth is considered to be a "child" on what legal basis are they making their own determination to continue to authorize services? What oversight is there to ensure that decisions are being made in accordance with the child's rights?

Additionally, determining the need for a legal guardian should occur at 18, not 21.

2. Youth in foster care who will be closed to DCYF upon reaching the age of 18 and referred to aftercare services: Under B-1-c, the eligibility criteria indicate that a youth must exit foster care on or after the youth's 18<sup>th</sup> birthday. Are there stipulations on length of time in care to meet this requirement? If so, please consider cumulative time in care.
3. Youth in foster care who will be closed to DCYF upon reaching the age of 18 and referred to aftercare services: Under B-3-c, youth are responsible to be either seeking employment or be employed or attend an educational or vocational program. Is this requirement full-time?

Given the realities that many youth face, we would ask that part-time status be permitted, as well as allowing for the combination of employment and education for youth to be meeting their requirement.

4. Youth in foster care who will be closed to DCYF upon reaching the age of 18 and referred to aftercare services: We congratulate the Department on successfully extending health care coverage to all youth under 21 years of age who were in foster care on their 18<sup>th</sup> birthday. Under section B-4-a-ii,

the rules note that youth must have a birth certificate and a State issued picture identification card when the youth is discharged from DCYF. If the youth does not have a driver's license or a State issued picture identification card, worker assists youth in obtaining a State issued picture identification card.

What checks will be put into place to ensure that this is happening? Will there be checklists for the worker on their responsibilities before cases can be closed? What information will be provided to youth, informing them of their right to assistance in obtaining these critical documents?

5. Youth in foster care who will be closed to DCYF upon reaching the age of 18 and referred to aftercare services: Under section B-4-c-i, the rules note that DHS will mail the annual health care redetermination form to the child each year. Additionally, section B-4-c-ii, it states that the form must be completed and returned to DHS in order for the coverage to be maintained. What assistance, if any, will be available to the youth in completing this form, either from the insurer or DHS?

The health plans have extensive experience in assisting DHS with outreach and retention. Special considerations should be given to this population when doing outreach as to their high rates of mobility. It will be critical for the health plans and DHS to offer assistance and reminders to youth as to the importance of completing redetermination forms and we appreciate the rules accounting for this and permitting youth to regain their eligibility by completing the required form.

6. Youth in foster care who will be closed to DCYF upon reaching the age of 18 and referred to aftercare services: Section B-8-e indicates that Aftercare services will be terminated when there are insufficient funds to continue the services. Please clarify what will happen to youth who were receiving services. Will they be added to the waiting list? If so, will they receive priority once new funds are available?

Youth who are current recipients should be given priority so as to maximize continuity and minimize disruptions to greatest possible extent in the life of the youth. While the optimal scenario would entail no youth having to wait for services and no youth losing services because of insufficient funds, it is critical that those youth who are complying with their plan and who are working toward self-sufficiency be given every opportunity in which to achieve their goals.

7. Youth in foster care who will be closed to DCYF upon reaching the age of 18 and referred to aftercare services: Section B-9 states that the Department shall create a waiting list when all funds are appropriated. Subsequently, names will be entered on the waiting list on a first-come, first-served basis. Please clarify whether the use of the term "appropriated" means that projected budgets will be developed based upon the existing enrollment.

Again, it would be Rhode Island KIDS COUNT's hope that current enrollees would receive the maximum amount of service with no disruption. This will require careful budgeting and tracking on the part of the fiscal agent and the Department.

8. Youth who can safely move from foster care into the home so parents or relatives or who have other viable transition plans will be closed to DCYF: In Section C-1-b-ii, the rules state that assistance with obtaining and maintaining employment will be provided to youth who can move safely from foster care to other viable transition plans. How will this assistance be

delivered post foster care? Who will be responsible for the delivery of services? What accountability measures will be in place? How will youth be informed of this right?

9. Appeals: Section D, allows for any individual who is determined to be ineligible for services in accordance with Sections A, B or C, to be entitled to file an administrative appeal. Will this policy as current in the DCYF regulations be simplified for the youth so as to avoid various levels of bureaucracy?

Current policy states that a form can be obtained from the caseworker or the casework supervisor. Such an arrangement may prohibit the youth from filing an appeal if he/she has to ask and then wait for the form from those who made the decision in the first place. The potential for contention and for youth to feel intimidated is real and we ask that DCYF not only make this process simplified for youth, but also that the form be posted online.

10. Other Comments: Rhode Island KIDS COUNT is committed to working with the Department to implement this policy in a manner that produces positive, healthy outcomes for youth, while being attuned to the fiscal responsibilities of the agency. We recommend that an Implementation Committee be formed, co-chaired by a member of the community and by a Department employee. This committee, similar to those employed in other facets of state government (e.g. the Welfare Reform Implementation Committee at DHS) provides real time opportunity and collaboration among the Department, participants and community stakeholders.

Thank you for the opportunity to provide comments on the proposed regulations. We look forward to the Department's response and to working with you in whatever capacity necessary to ensure a smooth transition for this population of young people.