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SENATE BILL NO. 277

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance
on February 4, 2014)

(Patron Prior to Substitute—Senator Favola)

A BILL to require the Department of Social Services to amend the state plan for foster care and adoption assistance to include payments for individuals up to age 21.

Be it enacted by the General Assembly of Virginia:

1. § 1. That the Department of Social Services shall develop such amendments to the state plan for foster care and adoption assistance pursuant to Part E (42 U.S.C. § 670 et seq.) of Title IV of the Social Security Act, including proposals for amendments to existing statutes and regulations, as may be necessary to extend the payment of foster care and adoption assistance to every individual between the ages of 18 years and 21 years who is completing secondary education or a program leading to an equivalent credential, enrolled in an institution that provides postsecondary or vocational education, participating in a program or activity designed to promote or remove barriers to employment, employed for at least 80 hours per month, or incapable of participating in such educational program or employment due to a medical condition, the existence of which is supported by regularly updated information in his case plan, and who (i) was in foster care at the time of his eighteenth birthday, (ii) was in the custody of the Department of Juvenile Justice at the time of his eighteenth birthday and was in the custody of a local board of social services immediately prior to his commitment to the custody of the Department of Juvenile Justice, or (iii) is a person with respect to whom an adoption assistance agreement is in effect, provided the person reached the age of 16 years before the agreement became effective. The Department shall report on its progress in implementing the provisions of this act no later than October 1, 2014, and shall report quarterly thereafter, until such time as the state plan has been amended to carry out the provisions of this act.

2. That any amendments to the state plan for foster care and adoption assistance pursuant to Part E (42 U.S.C. § 670 et seq.) developed by the Department of Social Services in accordance with the provisions of this act shall not become effective until such time as the amended state plan has been approved by the U.S. Secretary of Health and Human Services.

SENATE SUBSTITUTE

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