FOSTER CARE INDEPENDENCE ACT
Act 215 of 2008

AN ACT to establish the foster care independence program; to provide certain services for certain youth in foster care due to child abuse or child neglect; and to prescribe the duties of certain state departments.

History: 2008, Act 215, Imd. Eff. July 16, 2008.

The People of the State of Michigan enact:

722.981 Short title; definitions.

Sec. 1. (1) This act shall be known and may be cited as the "foster care independence act".

(2) As used in this act:

(a) "Adjudicated delinquent" means an individual found to have committed an offense that, if committed by an adult, would be a criminal offense.

(b) "Child abuse" and "child neglect" mean those terms as defined in section 2 of the child protection law, 1975 PA 238, MCL 722.622.

(c) "Child placing agency" means that term as defined in section 1 of 1973 PA 116, MCL 722.111.

(d) "Department" means the department of human services.

(e) "Foster care" means 24-hour substitute care for children placed away from their parents or guardians for whom the state agency or child placing agency has placement and care responsibility. Foster care placement includes, but is not limited to, placement in foster family homes, child care institutions, and preadoptive placements.

(f) "Young adult" means an individual 14 years of age or older but less than 21 years of age.

History: 2008, Act 215, Imd. Eff. July 16, 2008.

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722.982 Foster care independence program; establishment; conditions; services.

Sec. 2. (1) If this state receives federal money for the purposes described in this act and the federal money is not reduced below the level this state received on the effective date of this act and if public and private partners continue to provide the services they provided on the effective date of this act, the department shall establish the foster care independence program to offer education, training, employment, and financial support for eligible young adults leaving foster care.

(2) Subject to the availability of federal, state, and local funds, the program may include the following services:

(a) Identify young adults who are likely to remain in foster care until 18 years of age and help these children make the transition to self-sufficiency by providing services such as assistance in obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventive health activities, including smoking avoidance, nutrition education, and pregnancy prevention.

(b) Help young adults who are likely to remain in foster care until 18 years of age receive education, training, and services necessary to obtain employment.

(c) Help young adults who are likely to remain in foster care until 18 years of age prepare for and enter postsecondary training and education institutions.

(d) Provide personal and emotional support to children aging out of foster care, through mentors and the promotion of interactions with dedicated adults.

(e) Provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood.

History: 2008, Act 215, Imd. Eff. July 16, 2008.

722.983 Services; eligibility; exceptions; services provided to young adults 14 years of age and older; availability of services through 20 years of age; services provided on as-needed basis.

Sec. 3. (1) A young adult is eligible for services under this act if he or she is or has been in a foster care placement through the state or a child placing agency based on child abuse or child neglect on or after his or her fourteenth birthday.

(2) A young adult is not eligible for services under this act if 1 or more of the following apply:

(a) The young adult is in an out-of-home placement solely as an adjudicated delinquent. If the young adult

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is currently an adjudicated delinquent but met the eligibility criteria before his or her adjudication, services may be provided under this act.

(b) The young adult was never in an out-of-home placement based on child abuse or child neglect.

(c) The young adult is in a detention facility or other state-operated facility.

(3) Services under this act may be provided to eligible young adults 14 years of age and older regardless of the permanency planning goal. Services under this act may be available to all eligible young adults after case closure through 20 years of age. Services under this act may be provided on an "as-needed" basis.

History: 2008, Act 215, Imd. Eff. July 16, 2008.

722.984 Goods and services.

Sec. 4. (1) The department may provide at least all of the following goods and services to eligible young adults in the foster care independence program:

(a) Services that are not available from other funding sources or agencies for eligible young adults currently in the foster care system and for young adults released from foster care before reaching 21 years of age.

(b) Educational support.

(c) Classes or groups on interpersonal communication and building and maintaining relationships and classes or groups on independent living skills.

(d) Stipends to cover the cost of utility deposits, security deposits, and first month's rent to eligible young adults who are leaving foster care or have left foster care because they have reached 18 years of age but have not reached 21 years of age. The first month's rent and damage deposit may only be provided to young adults 18 to 21 years of age who are leaving foster care or who have left foster care because they attained 18 or 19 years of age and have not reached 21 years of age.

(2) The department shall make known a list of goods and services provided under the program established in this act.

History: 2008, Act 215, Imd. Eff. July 16, 2008.

722.985 Other goods and services.

Sec. 5. The department may provide goods and services allowed under federal law and any other goods and services the department considers appropriate.

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