

Foster Youth Living with a Parent When Aging Out Will Now Be Considered Ineligible for Most Transitional Benefits

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There has been a recent change in CPS policy that could impact the ability of many aged out foster youth to receive transitional benefits and services. If a foster youth is living with a biological or adoptive parent when they turn 18 and age out of care, then that youth will NOT be eligible for many transitional benefits. **This is the case even if that parent's rights were terminated and CPS is the managing conservator of the youth, and/or if CPS placed the youth with the parent. In the past, a youth who was living with or placed with a parent when they turned 18 would still qualify for transitional benefits as long as CPS had conservatorship; this is no longer true.**

The transitional benefits affected by this policy change are:

- 1) Transitional Living Allowance
- 2) After Care Room and Board
- 3) Case management
- 4) Education and Training Voucher (ETV)

This policy change does NOT affect eligibility for:

- 1) Medicaid
- 2) Tuition waiver

(Eligibility for Medicaid and the tuition waiver is based on other criteria, which the youth must still meet.)

For youth still in care, it is important that they be advised of this policy and understand the consequences if they are thinking of living or even staying with a parent before they turn 18. These transitional benefits are a critical safety net for aged out youth transitioning to independence.

If an aged out foster youth was receiving any aged out benefits and is told they are being terminated because they lived with a parent when they turned 18, they can contact the Texas Foster Youth Justice Project at 877-313-3688, info@texasfosteryouth.org. The Project has successfully assisted other young adults in having their benefits restored.

Many 16 and 17 year old youth are being placed with parents – either through an effort to find permanency or due to lack of other placement options. Unfortunately, the parental support is often short lived and access to transitional benefits ultimately becomes crucial to success.

While permanency is an important goal, a rush to achieve it should not leave a foster youth stranded in early adulthood.

It is the Texas Foster Youth Justice Project's understanding that this change in policy is due to the requirements of the federal funding that pays for the benefits. We are fully exploring this new policy and what steps can be taken to assist youth who are disqualified from benefits due to living with a parent the day they turn 18. Because word of policy changes spread slowly (the CPS Handbook does not yet address the change for most benefits) the Project wants to be sure there is information alerting foster youth and their advocates about this new limitation on benefits. Foster youth and their advocates can contact the Texas Foster Youth Justice Project at 877-313-3688 or info@texasfosteryouth.org for additional information or assistance.

Living with a Parent After Turning 18

It is important to note that a young adult who decides to live with a parent **after** aging out of CPS conservatorship and who **did not** age out while living with a parent may still be eligible for all transitional benefits provided they meet other eligibility criteria. However, if the parent is a perpetrator of abuse or neglect, CPS must first determine that the parent does not pose a threat to the health and safety of the young adult before any services will be provided.

Adoption/Permanency Care and ETV Eligibility

Young adults who are adopted from CPS conservatorship before the age of 18 or who enter the Permanency Care Assistance (PCA) program from CPS conservatorship after turning age 16 can qualify for Education and Training Voucher (ETV) benefits. If these young adults are living with an adoptive parent when they turn 18, **their eligibility is not impacted** because they are not qualifying based on aging out of foster care.

For youth friendly information on this topic visit the [Aging Out section](#) of texasfosteryouth.org.

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