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PROGRAM INSTRUCTION GUIDELINE 08-2020-#3

TO: CYFD Staff
FROM: Annamarie Luna, Acting Protective Services Division Director
DATE: August 24, 2020
RE: Guidance on Fostering Connections Program (Extended Foster Care)

The purpose of this Program Instruction Guideline (PIG) is to inform and guide CYFD staff in the implementation of the Fostering Connections Program (Extended Foster Care) that began on July 1st, 2020. This PIG will serve as direction to all CYFD staff regarding the implementation of the Fostering Connections Program until the policy can be promulgated and full procedures can be finalized.

Any questions regarding this PIG or the Fostering Connections Program, please contact Molly Clement, Youth Services Bureau Chief (Molly.Clement@state.nm.us).

I. Purpose: The Fostering Connections program allows eligible adults, including youth in tribal care, to remain in foster care until age 21 to support their transition to adulthood and advance outcomes around permanency, housing, education, and financial stability by providing enhanced services and supports. A youth participating in Fostering Connections is entitled to a safe place to live and to trauma responsive, behavioral healthcare services if otherwise medically necessary. An eligible adult is defined as an individual who meets the criteria for participating in the Fostering Connections program, as detailed below.

II. Eligible Adult: Eligible adults for the Fostering Connections program meet the following criteria (*paragraphs 1-3 below*):

1. is a young adult who has attained age eighteen and who meets one of the following criteria (*subparagraphs a-c below*):
 - a. transitioned out of foster care at age 18, but had not yet attained age 19 as of July 1, 2020, and was under order by the court at age 18; or
 - b. turns 18 after July 1, 2020, while under an out of home placement order by the court; or
 - c. attains at least fourteen years of age while a guardianship assistance agreement or adoption assistance agreement was in effect, and whose guardianship assistance agreement or adoption assistance agreement was terminated, or the guardian or parents are no longer willing to provide emotional or financial support after the child attains eighteen years of age;

AND

2. meets at least one of the following eligibility conditions (*sub paragraphs a-e below*):

- a. completing a secondary education or an educational program leading to an equivalent credential (e.g., youth age 18 or older finishing high school or taking classes in preparation of general equivalency diploma (GED) exam); or
- b. enrolled in an institution that provides post-secondary or vocational education (e.g., youth enrolled full time or part time in a college or university, or vocational or trade school); or
- c. is employed for at least 80 hours per month (e.g., a youth could be employed full time or part time at one or more places of employment); or
- d. participating in a program or activity designed to promote employment or remove barriers to employment, for example:
 - i. job skill classes;
 - ii. mentoring;
 - iii. volunteering;
 - iv. counseling; or
- e. is incapable of doing any of the activities described in 2a through 2d above due to a documented medical or behavioral health condition by a health care provider as detailed in the youth's regularly updated transition plan. If the young adult receives SSI or is on the DD waiver, additional documentation is not needed;

AND

- 3. agrees to enter into a Voluntary Services and Support Agreement (VSSA) with the Children, Youth and Families Department (see below).

III. Citizenship or Immigration Status: An eligible adult who meets the criteria to participate in the Fostering Connections Program will not be denied participation in the program based on their citizenship or immigration status. CYFD is responsible for maintenance payments, service provision, and medical care while the eligible adult participates in the program.

IV. Notification of the Fostering Connections Program to Youth Currently in Foster Care: The Fostering Connections Specialist (FCS) provides youth in foster care with notice of the Fostering Connections Program and its benefits starting at age 16, during the case planning team meetings. Notification will be provided both verbally and in writing at every transition planning meeting thereafter.

- 1. The FCS documents on-going notifications in the youth's transition plan;
- 2. Prior to the youth attaining 17.5 years of age, the FCS documents in the transition plan that the youth has been provided with detailed information regarding the Fostering Connections Program and has been given the opportunity to develop a VSSA that is to be finalized and executed upon the child attaining eighteen years of age.
- 3. Youth under the age of 18, who would like to participate in the program may sign the VSSA prior to their 18th birthday, but not before they are 17 and 9 months, to enter the Fostering Connections Program on their 18th birthday. The VSSA shall reflect the date of their 18th birthday as the entry date.
- 4. Eligible youth who would like to participate in the program that have already turned 18 and have not entered the program on or before their 18th birthday, may sign the VSSA at any time. The VSSA shall reflect the date of entry, as the date they sign the VSSA.
- 5. The FCS ensures the youth understands that participation in the Fostering Connections Program is voluntary and the youth can change their mind at any time. The FCS documents this discussion and presentation of information in the youth's transition plan.

6. Youth who do not want to participate in the Fostering Connections Program when they turn age 18, are notified they can participate in the program any time before turning age 21, as long as they meet eligibility criteria.

V. Voluntary Services and Support Agreement (VSSA):

1. The VSSA details the program eligibility requirements, general program requirements, and CYFD's responsibilities to the eligible adult. It does not provide the detail and individualized elements of the transition plan and should not be used as a transition plan.
2. The VSSA establishes that CYFD has placement and care responsibility for the eligible adult, and therefore meets Title IV-E requirements for removal from a home and establishing placement and care responsibility. The eligible adult retains all the legal rights of an adult when they are in the Fostering Connections Program and can remove themselves from the program at any time.
3. The VSSA includes, at a minimum, information regarding all of the following:
 - a. the voluntary nature of the eligible adult's participation in the program and the eligible adult's right to terminate the agreement at any time;
 - b. the eligible adult's entitlement to legal representation by an attorney;
 - c. the right to receive notice and attend all court hearings;
 - d. program participation expectations;
 - e. services and supports that the eligible adult will receive while participating in the program; and
 - f. conditions that may result in the termination of the VSSA and the eligible adult's early discharge from the program.
4. If an eligible adult chooses to participate in the Fostering Connections Program, the youth will sign a VSSA on or after the eligible adult's 18th birthday. The FCS submits the VSSA to the Bureau Chief for review, signature and submission to the Children's Court Attorney for filing of the petition.
5. Prior to signing the VSSA, the FCS encourages the youth to also discuss any questions regarding the agreement with their chosen supports, which could include the attorney for the youth.
6. There are no limits to the number of times a young adult may opt out of or re-enter the Fostering Connections Program.
7. The FCS uploads a copy of the signed agreement into FACTS under the Independent Living icon under "documents," and provides a signed copy to the Title IV-E Specialists.
8. The eligible adult is provided a copy of the VSSA.

VI. Entering Case Information in FACTS: Once the legal and permanency planning case work is completed, the PPW Supervisor will notify the FCS Supervisor to separate the youth case prior to case closure. The eligible adult will be separated from their previous permanency planning case into their own Independent Living 18+ case by the FCS and FCS Supervisor.

1. A State of New Mexico W-9 will be completed and submitted per protocol. The eligible adult is then made their own provider created by the FCS. The W-9 is required to establish the eligible adult as a provider in FACTS, so that CYFD can issue the eligible adult a payment.
2. An Out of Home Placement will be opened and approved by the FCS using the service category "*Extended Foster Care.*"
 - a. The Extended Foster Care service type in FACTS can be used for:
 - i. relative or non-relative licensed family foster home or therapeutic Family foster home (TFC);
 - ii. unlicensed parent home, relative or fictive kin home;
 - iii. licensed residential treatment facility (or RTC);

- iv. New Mexico Transitional Living for Young Adults (NM_TLYA);
 - v. Transitional Living Program (TLP);
 - vi. host family homes;
 - vii. Supervised Independent Living Settings (SILS); or
 - viii. Independent Living (IL) in an apartment, renting a room in a house, dorm/other school housing, with roommates, etc.
- b. When the eligible adult is pregnant or a parent, then a variable service type may be used to cover the expense for both the eligible adult and their child. Parenting youth will receive an enhanced maintenance payment to assist the young family with stability for the parent(s) and child.
- 3. The signed VSSA and the petition is uploaded into FACTS under the Independent Living icon.

VII. IV-E Eligibility Determination: Title IV-E of the Social Security Act authorizes reimbursement for foster care maintenance expenditures and certain allowable expenses on behalf of IV-E eligible adults in the Fostering Connection Program. Title IV-E eligibility is not necessary for participation in the Fostering Connections Program. If an eligible adult is determined not eligible for Title IV-E reimbursement, then CYFD will pay for foster care maintenance and incidental expenditures (incidental expenditures are found in Permanency Planning Procedures: *PR 27—Maintenance Payments and Incidentals*). CYFD will take steps to ensure as many youth as qualify are eligible for the IV-E reimbursement.

- 1. The CYFD Title IV-E Specialist determines Title IV-E eligibility for each eligible adult in the Foster Connection Program.
- 2. Eligible adults who choose to participate in the Fostering Connections Program will have a new eligibility determination for Title IV-E reimbursement conducted. The Title IV-E Specialist will conduct the eligibility determination for Title IV-E eligibility within 45 days of the eligible adult signing the Voluntary Services and Support Agreement.
- 3. The FCS notifies their assigned Title IV-E Specialist of the eligible adult's entry into the Fostering Connections Program.
- 4. To be determined Title IV-E eligible for Fostering Connection Program:
 - a. the eligible adult must be a U.S. citizen or have legal alien status. The FCS provides the Title IV-E specialists a copy of the birth certificate or proof of legal permanent residency, and a valid Social Security Number (SSN) or documentation in the record that the FCS has applied on behalf of the child for a SSN; and
 - b. the eligible adult must have a signed Voluntary Services and Support Agreement (VSSA). The FCS will provide a copy of the signed VSSA to the Title IV-E Specialist. The VSSA establishes that CYFD has placement and care responsibility for the eligible adult, and therefore meets the Title IV-E requirements for removal from home and placement and care responsibility; and
 - c. the eligible adult must meet the AFDC standard of need, as a budget group of one. This is based on information provided by FCS and financial information obtained from various sources, including databases, such as those maintained by the Social Security Administration, the New Mexico Department of Workforce Solutions and the New Mexico Human Services Department, Income Support Division; and
 - d. the eligible adult must meet one of the participation criteria outlined above at Paragraph II. "Eligible Adult," subparagraph 2 *a-e*. The FCS will provide to the

Title IV-E specialist verification of the eligible adult's selected participation activity.

5. The IV-E specialist will request approval of Medicaid by Human Services Department (HSD) for the eligible adult.

VIII. Entry in to Fostering Connections Program:

1. Within 15 days after the VSSA is executed, the Children's Court Attorney (CCA) shall file a petition initiating proceedings pursuant to the Fostering Connections Act that shall:
 - a. be entitled, "In the Matter of, an eligible adult";
 - b. set forth with specificity: the name, birth date and residence of the eligible adult; and the facts necessary to invoke the jurisdiction of the court; and
 - c. be filed pursuant to Subsection B of this section and be accompanied by a copy of the eligible adult's VSSA and the Fostering Connections Transition Plan (defined in Section XII).
2. Foster care maintenance payments, housing, medical assistance coverage or case management for an eligible adult will continue uninterrupted following the termination of children's court jurisdiction at age 18, pending the Court's review of the petition.
3. A hearing held pursuant to the Fostering Connections Act shall be commenced within 90 days of the filing of the petition, at which time the court shall review the voluntary services and support agreement, and determine whether the agreement is in the best interests of the eligible adult and the Fostering Connections transition plan meets the requirements of the Fostering Connections Act, thus granting or denying the petition. The outcome of the hearing will be documented in FACTS.

IX. Re-Entry in to Fostering Connections:

1. There is no limit to the number of times an eligible adult may opt out of and reenter the Fostering Connections Program.
2. A young adult who has previously participated in the Fostering Connections Program may re-enter the Fostering Connections Program at any time before their 21st birthday if they meet eligibility criteria.
3. All inquiries, requests, and questions about re-entry are sent to the FCS and supervisor. The FCS consults with their supervisor and the Bureau Chief in identifying next steps.

X. Placements/Living Arrangements:

1. Placement Decisions: Eligible adults in Fostering Connections are legal adults; therefore consideration will be given to their placement preference. CYFD will provide a placement array for eligible adults that offers each eligible adult participating in the Fostering Connections Program the least restrictive and most family like setting possible. All placements offered to eligible adults will be developmentally appropriate and allow for increasing levels of responsibility and independence over time. All placement options in any licensed or approved facility are available to eligible adults in the Fostering Connections Program, including the new placement category, Supervised Independent Living Settings.

Placement decisions should be made through the teaming process between the eligible adult, FCS and other members of the Youth's team. The eligible adult's placement preferences will be considered, in addition to what services and supports can be put in place to make the setting appropriate.

2. Placement Types: To be eligible for the Fostering Connections Maintenance Payment (title IV-E funded), the eligible adult must be placed in a licensed foster family home or child care institution as defined by federal law, or a supervised setting in which the individual is living independently.

Placement options available to eligible adults in Fostering Connections include, but are not limited to:

- a. relative or non-relative licensed family foster home or therapeutic Family foster home (TFC);
- b. Unlicensed parent home, relative or fictive kin home;
- c. licensed residential treatment facility (or RTC);
- d. New Mexico Transitional Living for Young Adults (NM_TLYA);
- e. Transitional Living Program;
- f. Host family homes;
- g. Supervised Independent Living Settings (SILS); or
- h. Independent Living in an apartment, renting a room in a house, dorm/other school housing, with roommates, etc. This would include all housing voucher programs.

Placements ineligible for title IV-E reimbursement include detention facilities, or any other facility operated primarily for those determined to be delinquent.

If the eligible adult moves to an unapproved or ineligible placement, the eligible adult may continue participation in the Fostering Connections Program, but will be otherwise ineligible for the Title IV-E maintenance payment until the new placement is approved. A worker must approve a new placement within 10 days of being informed that the young person has moved or send a written notice informing the young person why the placement could not be approved.

3. Supervised Independent Living Settings (SILS): This is a new placement setting available for eligible adults in the Fostering Connections Program who are 18 to 21 years old. SILS are Title IV-E reimbursable for those eligible youth participating in the Fostering Connections Program. SILS is an age-appropriate setting that CYFD approves for placement of an eligible adult, as listed in section d above. This setting is consistent with federal law and guidance for a supervised setting in which an eligible adult lives independently; and may be a residence where the eligible adult lives alone or shares a residence with others. A readiness assessment will be completed by the FCS with the young person to assist in determining approval for placement.

SILS, Transitional Living Programs, NM-TLYA and housing voucher programs are all different placement settings, however, when opening and selecting a FACTS placement, FACTS may not differentiate between these.

CYFD will develop descriptions for placement categories and health and safety standards for the approval of these settings. These settings should provide an eligible adult safety and meet their basic needs in terms of the provision of board and care as any licensed setting would. However, background checks for other residents of the setting shall not be required as a condition of approval.

4. FACTS Entry: An out of home placement will be opened and approved by the FCS using the service category Extended Foster Care.

- a. The Extended Foster Care service type in FACTS triggers monthly maintenance payments to the eligible adult participating in the Foster Connection Program.
- b. The Extended Foster Care service type covers placements described in 2 a-d above. Eligible adults may also receive incidental payments for expenses such as clothing, activities, or education expenses (complete list of maintenance and payments are found in Permanency Planning Procedures PR 27).
- b. When the eligible adult is pregnant or a parent, a specialized foster care payment may be made to cover expenses for both eligible adult and child.

XI. Service Provision:

- 1. Eligible adults shall be assigned a FCS when they enter the Fostering Connections Program. The FCS shall be trained in providing services for transition-aged youth. The primary role of the FCS is to ensure eligible adults are not homeless and receive the benefit of all available services to support their successful transition to adulthood and achievement of permanency. The FCS ensures all programming, treatment, and support is provided to young adults in a manner that is age appropriate and trauma sensitive, and ensures the young adult's voice and wishes are considered.
- 2. Eligible adults in the Fostering Connections Program shall receive the following types of services: housing placement support, permanency services, support services, case management, and legal services.
 - a. Housing placement support shall include the provision of a placement or living arrangement provided or procured by CYFD, or the provision of funds directly to the eligible adult, or to the identified placement type (licensed resource family, NM-TLYA, relative, etc.) to facilitate their housing in a transitional living program, supervised independent living setting, foster or kinship care setting. Payments may not be able to be split between the youth and another provider.
 - b. The department shall make active efforts to provide permanency to eligible adults. Permanency services shall include services that:
 - i. provide permanent housing support and connections;
 - ii. help the eligible adult achieve legal and relational permanency;
 - iii. support the eligible adult's relationship with their biological family, including siblings; and
 - iv. assist the eligible adult in developing a network of supportive adults that will last throughout their life.
 - c. Support services shall include:
 - i. Major medical and behavioral health care coverage. This includes connection to appropriate healthcare providers as identified by the department and the eligible adult.
 - ii. Any services identified by the eligible adult and the case planning team to address a need of the eligible adult or to assist in achieving a goal in the transition plan.
 - d. Case management services include:
 - i. The development of a transition plan by the department and the eligible adult that includes a description of the identified housing situation or living arrangement, and the resources and services to assist the eligible adult in the transition from the fostering connections program to adulthood.
 - ii. Providing direct services or arranging services to achieve the goals established in the transition plan in the following areas:
 - (a) obtaining or maintaining employment or other financial support;

- (b) obtaining a government-issued identification card;
 - (c) opening and maintaining a bank account;
 - (d) obtaining and maintaining appropriate community resources, including healthcare, mental health care, developmental disability and other disability services and support;
 - (e) when appropriate, satisfying any juvenile or criminal justice system requirements and assisting with sealing the eligible adult's children's court record pursuant to [Section 32A-2-26 NMSA 1978](#);
 - (f) completing secondary education;
 - (g) applying for admission and aid for post-secondary education or vocational courses;
 - (h) obtaining the necessary state court findings and then applying for special immigrant juvenile status under federal law or applying for other immigration relief for which the eligible adult may be qualified;
 - (i) obtaining a copy of health and education records of the eligible adult;
 - (j) applying for any public benefits or benefits for which the eligible adult may be entitled or that may be due through the eligible adult's parents or relatives, including state or federal cash assistance, nutritional assistance or low-income home energy assistance;
 - (k) maintaining relationships with individuals who are important to the eligible adult, including searching for individuals with whom the eligible adult has lost contact;
 - (l) accessing information about maternal and paternal relatives, including any siblings;
 - (m) accessing youth empowerment opportunities and peer support groups;
 - (n) accessing pregnancy and parenting resources and services; and
 - (o) obtaining, applying or accessing any additional resources identified by the department or youth that are not listed above.
- iii. Ensuring the eligible adult is provided all agreed upon services and supports, and identifying and addressing any concerns or challenges the eligible adult is facing or raised related to services, supports or treatment.
- e. Legal services shall include:
- i. The appointment of an attorney to represent the eligible adult at the inception of the Fostering Connections proceeding. This can be the attorney who previously represented the eligible adult as a minor if the eligible adult so consents.
 - ii. The appointed attorney shall represent the eligible adult in any subsequent hearings and appeals, including administrative appeals and grievances.

XII. Fostering Connections and Transition Planning: The requirements for case and permanency planning continue for older youth, but modifications are made to reflect the age and developmental needs of youth and eligible adults. Permanency, safety, and well-being remain as guiding planning and practice principles, and how they are achieved will now reflect the unique needs of emerging adults. The Transition Plan is developed in partnership with all youth

beginning at age 16.5 and continues until emancipation from foster care or discharge from the Fostering Connections Program. The process shall, at minimum, include:

1. Permanency Goals and Planning: The same permanency goals exist for older youth in care and eligible adults participating in the Fostering Connections Program as for all children in foster care. Permanency should continue to be the focus of case planning given its importance to a successful transition to adulthood. Reunification, as well as adoption and guardianship, are viable and preferred permanency plans that should be supported. At the same time, relational permanence must also be a focus and the plan should include identifying and connecting youth and eligible adults to mentors and other supportive adults aimed at continuously expanding their support network.

If PPLA is ordered as the permanency goal, the Fostering Connections Plan, including the Transition Plan, must reflect the youth or eligible adult's relationships with and connections to supportive adults. If PPLA is the ordered permanency goal, the appropriateness of that goal and plan must be re-evaluated annually.

Permanency planning services for youth and eligible adults should always include ongoing connection to caring adults and family, as well as services, including therapeutic services, that assist them in addressing grief, loss, and trauma related to family and other relationships.

2. Development of the Fostering Connections Plan, including Transition Plan:
 - a. The Fostering Connections Plan for Older Youth is created in partnership and collaboration between the Fostering Connections Specialist (FCS), youth and other team members identified by the youth, utilizing a strengths-focused, youth-centered, teaming approach, beginning when a youth reaches the age of sixteen and a half (16.5).
 - b. The plan is reviewed and revised through a teaming process at least:
 - i. every 6 months;
 - ii. no more than 30 days before and no less than five days before each court review/hearing;
 - iii. following any requests for revisions;
 - iv. following the identification of any significant changes in the youth's or eligible adult's life or placement/living arrangement.
 - v. An additional team meeting occurs when a youth turns 17 and 9 months to create the formal Transition Plan outlining the youth's status, goals and plans for their life once they turn 18 and become a legal adult.
 - c. When team meetings occur for the purpose of developing, reviewing, and/or revising the Fostering Connections Plan (including the Transition Plan), at minimum, they must:
 - i. be led by the youth/eligible adult with the support of the FCS and team;
 - ii. be scheduled at a date, time and location the youth/eligible adult selects;
 - iii. include individuals the youth/eligible adult identifies, including at least one person that is not responsible for case management and can provide direct support and advocacy to the youth/eligible adult; and
 - iv. include developmentally-appropriate notice and reminder(s) to the youth/eligible and other invited stakeholders about the meeting, including ICWA notification as required by current policy/procedure.
 - d. Once the youth turns 18, participant notification of Fostering Connections plan meetings is at the discretion and option of the eligible adult. The FCS works with the eligible adult to make this decision and encourage/support them in including

family members and supportive adults who may support their permanency goals and have an awareness of the importance of relationships to the transition to adulthood and development of identity.

- e. If and when a youth is not able to be reunified with family, many eligible adults struggle with issues related to that relationship and attempt to reconnect or return home when they turn 18 in foster care. Addressing connections with family should be part of the planning process even if family members are not included in all Fostering Connections plan meetings.
- f. A post-18 Fostering Connections Plan cannot be finalized without the eligible adult, designated treatment guardian, or an appointed guardian by the court or signing the plan.
- g. A copy of all documents, including the Fostering Connections Plan, must be provided to the youth/eligible adult.
- h. Documents, including the Fostering Connections Plan, is uploaded into FACTS under the Independent Living icon.

3. Contents of the Fostering Connections Plan for Older Youth: The Fostering Connections Plan for older youth includes the Fostering Connections Transition Plan. At a minimum, the plan must address the following:

- a. a description of the permanency goal for the youth/eligible adult and services that will be provided to achieve the permanency goal;
- b. description of the qualifying activity in which the eligible adult will participate in order to qualify for the Fostering Connections Program and any supports to be provided to maintain their eligibility;
- c. services and supports that address needs and strengths identified in formal assessments or evaluations (e.g., CANS, Casey Life Skills Assessment, psychological evaluations, neuropsychological evaluations, etc.) and/or informal assessments (e.g., life domains); and
- d. the specific services and activities that will be provided (*Section XI. Service Provision*) to the youth/eligible adult to achieve the established goals, the time frames for achieving those goals, and the individual(s) or entity(ies) responsible for providing support to the youth/eligible adult around each identified service and activity in each life domain area.
 - i. Daily Living Skills and Transportation:
 - (a) accessing vital documents, such as birth certificate, social security card, state identification card or driver's license, and where applicable, proof of citizenship and proof that the eligible adult has been in foster care;
 - (b) development of daily living skills needed for successful adulthood;
 - (c) accessing reliable transportation;
 - (d) where applicable, assisting in applying for special immigrant juvenile status or other immigration relief, including seeking any needed juvenile court findings;
 - (e) where applicable, satisfying any juvenile or criminal justice system requirements and assisting with sealing or expunging the eligible adult's children's court record pursuant to Section 32A-2-26 NMSA 1978 and other applicable laws; and
 - (f) applying for public benefits.
 - ii. Finances and Employment:

- (a) obtaining employment and career planning, including accessing programs or activities designed to promote employment or remove barriers to employment; and
 - (b) budgeting and financial management, including opening and maintaining a bank account, and acquiring, reviewing, and resolving any issues related to the credit report.
 - iii. Housing: Finding and maintaining safe and stable housing or living arrangement.
 - iv. Education:
 - (a) completing secondary education or an educational program leading to an equivalent credential: and
 - (b) applying for admission, financial aid, and any other support services for post-secondary educational or vocational courses or programs.
 - v. Physical and Mental Health:
 - (a) Screening for every youth shall be provided by CYFD Behavioral Health Community Behavioral Health Clinician or by an external community based provider;
 - (b) accessing community resources and needed services for individuals with special needs or a disability, including connecting to systems and benefits to assure long term access to care in the adult system.
 - (b) obtaining medical and behavioral health care, including learning how to navigate access to care and decision making, including support to execute a health care power of attorney or advanced health care directive;
 - (c) understanding health insurance and how to maintain insurance coverage as a former foster youth, as applicable; and
 - (d) accessing sexual and reproductive health resources, services, and information.
 - vi. Supportive Relationships and Community Connections:
 - (a) connecting to services or activities that support achieving legal permanence;
 - (b) establishing and maintaining connections with family, including siblings, through such means as family finding and visitation; and
 - (c) establishing or maintaining connections with caring adults, including mentors.
 - vii. Cultural and Personal Identity:
 - (a) learning about and affirming cultural and personal identify; and
 - (b) empowerment and leadership activities, including opportunities for skill building, providing feedback and advocacy, and receiving peer support.
 - viii. Parenthood: Provide access to pregnancy and parenting resources, services, and skills, where applicable. Financial support is identified in Section VII.
- e. The case plan should include the identification of challenges the youth/eligible adult faces and strategies to address those challenges. It is developmentally appropriate for young people and emerging adults to test boundaries, take risks, and make mistakes as they experiment with new independence and adult

opportunities. While challenging and potentially disruptive, these are invaluable opportunities that CYFD must leverage as teachable moments, supporting youth/eligible adults in building the knowledge, awareness, and skills needed to become successful adults.

- f. The role of the FCS and the core of Fostering Connections planning is to support youth/eligible adults to identify their challenges and address them, learn from their mistakes and regroup, and allow them to fail safely by not cutting them off from services and supports but by providing guidance and ultimately ensuring successful transition to adulthood.

XIII. Review Hearings:

1. After the initial hearing, the court must conduct a review hearing at least once every six months.
2. The primary purpose of the review hearing is to ensure the Fostering Connections Program is providing the eligible adult with the needed services and support to help the eligible adult move toward permanency and a successful transition to adulthood.
3. At the review hearing, the department must show it has made active efforts to comply with the VSSA and effectuate the transition plan. Active efforts is a heightened standard greater than reasonable efforts that include affirmative, active, thorough and timely efforts.
4. The department must submit a report to the court at least five days prior to the review hearing addressing the progress made in meeting the goals in the Fostering Connections Transition Plan, and propose any modifications necessary to further the goals.
5. The eligible adult should receive a copy of any reports or orders issued at the review hearing.

XIV. Supporting Participation in Fostering Connections Program

1. Termination of the VSSA by the eligible adult:
 - a. An eligible adult may choose to terminate the VSSA and stop receiving services and support under the Fostering Connections Program at any time;
 - b. If an eligible adult chooses to terminate the VSSA, the department must provide the eligible adult with a clear and developmentally appropriate written notice informing the eligible adult of:
 - i. the potential negative effects of terminating the VSSA early;
 - ii. the option to reenter the Fostering Connections Program at any time before attaining 21 years of age, as long as the eligibility requirements are met;
 - iii. the procedures for reentering the Fostering Connections Program; and
 - iv. information about and contact information for community resources that may benefit the eligible adult.
2. Termination of the VSSA based on determination by the department that the young adult is no longer eligible for the program. Program termination by the department shall occur on the youth's 21st birthday or if the eligible adult has been committed to prison following a criminal conviction. The department shall only terminate a VSSA in rare circumstances which must be approved by the Protective Services Deputy Director and Chief CCA before petitioning the court for termination.
 - a. The FCS, no more than fifteen days after the determination and prior to requesting a discharge hearing, must provide to the young adult and the young adult's attorney a clear and developmentally appropriate:

- i. written notice informing the young adult of the department's intent to terminate the voluntary services and support agreement; and
 - ii. explanation of the basis for the termination; and
 - b. The FCS must make active efforts to meet in person with the young adult to explain the information in the written termination notice and to assist the young adult in reestablishing eligibility if the young adult wishes to continue participating in the program.
 - c. CYFD cannot terminate services under the Fostering Connections Program without court approval following a discharge hearing.
3. The department may discontinue the Fostering Connections maintenance payment after making active efforts to address eligibility issues. In order to discontinue the maintenance payment, the FCS must have approval by the Bureau Chief and CCA. If approved, payments may be discontinued, however active efforts to regain eligibility must continue by the FCS.
 - a. As part of the case management processes, the department must identify as soon as possible any barriers to maintaining eligibility that an eligible adult is encountering and must make active efforts to assist the eligible adult to overcome identified barriers and maintain eligibility. CYFD's efforts must be documented in the transition plan.
 - b. Active efforts to address barriers at minimum must include:
 - i. holding a youth-centered teaming meeting;
 - ii. revising the case plan to reflect challenges in meeting eligibility requirements and strategies to address those challenges;
 - iii. providing services to address challenges the eligible adult is facing, such as behavioral health support or peer supports; and
 - iv. assisting the eligible adult to establish eligibility under any criteria for fostering connections program.
 - c. Academic breaks in post-secondary education and training program attendance, such as semester and seasonal breaks, and other transitions between status that meet eligibility requirements, including education and employment transitions of no longer than thirty days, shall not be a basis for termination.
 - d. Lack of housing, mental health issues or lack of employment due to poor economy will not be a basis for termination or discontinuing the payment. Active efforts will be made by the FCS to address the barriers.
4. Termination of the VSSA based on age: If an eligible adult remains in the Fostering Connections Program until attaining 21 years of age, at least 60 days before the eligible adult's 21st birthday, CYFD shall provide the eligible adult with a clear and developmentally appropriate written notice informing the eligible adult of the termination of the VSSA at 21 years of age, an updated Transition Plan with ongoing goals and information about and contact information for community resources that may benefit the young adult, specifically including information regarding state programs established pursuant to federal law that provide transitional foster care assistance to young adults.