



# **DCF Legislative Testimony**

**January 24, 2024**

**TESTIMONY OF:** Tanya Keys, Deputy Secretary, Department for Children and Families

**TESTIMONY ON:** House Bill 2536

## DCF | HB 2536 SOUL Legal Permanency Option

Chair Concannon and members of the committee, thank you for the opportunity to provide testimony in support of HB 2536 Establishing the SOUL family legal permanency option for youth 16 years of age or older.

HB 2536 is related to the revised Kansas code for care of children which would establish SOUL family legal permanency as a permanency option for children in need of care who are 16 years of age or older. This legislation would allow courts to establish SOUL family legal permanency.

Current legal permanency options in the Child in Need of Care (CINC) code include reintegration, adoption, appointment of a permanent custodian or another planned permanent living arrangement (APPLA). These options successfully provide support to many young Kansans transitioning into adulthood while in foster care, yet we recognize that there are many more who would benefit from a fourth option to create a nurturing, lifelong family as they move into adulthood. Support, Opportunity, Unity, and Legal Relationship (SOUL) is an innovative new legal permanency option for older youth in foster care. Kansas is honored and excited to be the first-ever state to help advance this proposed permanency option that would allow older youth to establish supportive circle of caring adults without severing legal ties with birth parents and siblings.

HB 2536 is a culmination of more than two years collaborative effort. In the summer of 2021, DCF received an invitation to learn more about SOUL. Through the fall of 2021, we attended a series of dialogues with the Annie E. Casey Foundation (AECF) and young leaders about how SOUL might work in Kansas and the state's readiness to move forward with its development and implementation. By the end of fall 2021, Kansas expressed interest and formally self-nominated to be an early adopter of the SOUL Family Legal Permanency, gathering a team of Kansas young leaders, providers, and advocates to consider our capacity. DCF continues to collaborate with this team and will implement any new procedures and awareness training in concert with young leaders.

Kansas has good reason to consider this promising, new SOUL option. As of December 31, 2023, there were 517 Kansas youth and young adults aged 16-18 years preparing to age out of foster care and the existing permanency options of adoption, guardianship and reunification had been ruled out for a variety of reasons. Data detail or context of the 517 young people reflects there are 5 counties each with 20 or more youth impacted and Area 2 is the catchment area with greatest number of youths:

| Foster Care Catchment Area      | # youth |
|---------------------------------|---------|
| Area 1 Saint Francis Ministries | 98      |
| Area 2 Saint Francis Ministries | 120     |
| Area 3 KVC                      | 46      |
| Area 4 TFI                      | 55      |
| Area 5 Cornerstones of Care     | 38      |
| Area 6 KVC                      | 59      |
| Area 7 Saint Francis Ministries | 71      |
| Area 8 TFI                      | 30      |
| State Total                     | 517     |

| Counties with 20 or more youth preparing to transition to adulthood while in care | # youth |
|---|---------|
| Sedgwick  | 71      |
| Johnson   | 46      |
| Reno  | 28      |
| Shawnee   | 28      |
| Wyandotte   | 24      |

Regarding fiscal impact, DCF worked in conjunction with the Annie E. Casey Foundation and Mainsprings Consulting to develop the costs of implementing this new permanency option for SFY25 and out years. New cost types associated with caregivers and young people who establish a SOUL family SOUL implementation include caregiver non-recurring expenses and one-time payments, caregiver subsidy and post-secondary educational benefits. New costs possible for youth adopted at age 16 or older include monthly assistance subsidy, independent living start-up costs and vehicle repair and maintenance, The Year One state (SGF) cost is \$714,199 with the out years estimated at \$2,3 Million and \$2.4 Million. A few assumptions were used in calculation including, but not limited to:

- 25% of youth who age out, and all youth ages 16+ who currently exit to guardianship will establish SOUL Families.
- Caregiver Benefits would be the same as provided in the current Adoption Support program.
- All youth who are expected to establish SOUL family legal permanency would have formerly aged out of foster care making Young Adult Subsidy, Independent Living Start-Up Costs and Vehicle Repair and Maintenance Cost budget neutral.
- 75% of youth who are expected to establish SOUL family legal permanency would need to purchase insurance on the exchange for two years and that the Medicaid waiver will be in place by year three of implementation.

DCF supports this legislation as written and would ask that the committee pass favorably. Thank you again for the opportunity to provide testimony on HB 2536.