

**Young Adult Services**

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**7.600: Introduction to Young Adult Services**

The Department is committed to assisting older adolescents and young adults in their transition to independence and self-sufficiency. Young adult services assist individuals transitioning from foster care to young adulthood. These services are provided under conditions agreed upon by both the Department and the young adult, and based upon the availability of resources.

**7.601: Age Limitations**

- (1) The Department offers young adult services to the following:
  - (a) Any youth at the age of 18 who is in the care or custody of the Department and in an out of home placement at the age of 17 or older.
  - (b) Any youth who is a consumer in an open case at the age of 18, but not in placement. In rare cases, a youth between the ages of 17 and 18 may be approved by the Department to receive young adult support payments.
- (2) Title IV-E Young Adult services will be terminated upon the young adult turning 21.
- (3) Non-Title IV-E Young adult services are terminated at the age of 22.
- (4) Young adult services continue until the age of 23 if the individual demonstrates that without the provided services the individual will not complete an Associate's or higher degree program.
- (5) To the extent that another state agency, including but not limited to, the Department of Mental Health (DMH) or the Department of Developmental Services (DDS), is primarily responsible for such person, the Department may elect not to continue to serve the young adult until their 22nd birthday.

**7.602: Eligibility**

For a young adult to receive services from the Department beyond the age of 18, the Department must determine that the young adult meets one of the age criteria listed in 110 CMR 7.603, and one of the criteria for either state-supported services listed below in 110 CMR 7.602(1), or Title IV-E supported services listed below in 110 CMR 7.602(2).

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- (1) A young adult is eligible for state-supported services when the young adult is:
  - (a) enrolled in secondary education or a program leading to a GED; or
  - (b) enrolled in a post-secondary or vocational education program or trade school;  
or
  - (c) participating in a program or activity designed to promote, or remove barriers to employment; or
  - (d) employed for at least 80 hours per month; or
  - (e) incapable of doing any of the above education or employment activities due to a medical condition; or
  - (f) participating in another program or plan which promotes specific educational or rehabilitative programs; or
  - (g) participating in another program which promotes and supports the youth in fully developing and fulfilling the youth's potential to be a participating citizen of the commonwealth.
- (2) A young adult is eligible for Title IV-E-supported services when the young adult is:
  - (a) completing secondary education or a program leading to a GED; or
  - (b) enrolled in a post-secondary or vocational education program or trade school;  
or
  - (c) participating in a program or activity designed to promote, or remove barriers to employment; or
  - (d) employed for at least 80 hours per month; or
  - (e) incapable of doing any of the above education or employment activities due to a medical condition.

In addition to the criteria set forth above, for a young adult to be eligible for Title IV-E supported services the eligibility criteria set forth in 42 USC § 672 must be met.

**7.603: Age Criteria**

- (1) For a young adult to receive state supported services over the age of 18, the young adult must be:
  - (a) in the care or custody of the Department at the age of 18 and continue under the responsibility of the Department after 18 pursuant to a voluntary placement agreement with the Department; or
  - (b) in the care or custody of the Department at the age of 18 or continued under the Department's responsibility after age 18, requested the closure of his or her case at 18 or older and later seeks Department services prior to the age of 22; or
  - (c) a consumer in an open case with the Department at the age of 18 or older.

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- (2) For a young adult to receive Title IV-E supported services over the age of 18, the young adult must be
  - (a) in the care or custody of the Department at the age of 18 and continues under the responsibility of the Department after 18; or
  - (b) in the care or custody of the Department at the age of 18 or continued under the Department's responsibility after age 18, who requested the closure of his or her case at 18 or older and later seeks Department services prior to the age of 21.

### **7.604: Verification/Documentation**

The young adult will be required to provide periodic documentation that he or she meets one of the criteria listed in 110 CMR 7.602. The Department will utilize the documentation, and other sources, to verify a young adult's Title IV-E eligibility a minimum of twice per year.

### **7.605: Substitute Care Services and Young Adult Support Payments**

- (1) Young adults who remain in placement with the Department are to live in either a
  - (a) Department licensed foster home; or
  - (b) Department contracted placement such as a foster home, IFC home, congregate care facility, teen living program, independent living program; or
  - (c) another supervised independent living setting, such as a dorm, an apartment, a friend or relative's home; or
  - (d) another setting where the young adult is living and/or renting space; or
  - (e) upon approval of the Director of Areas and the Assistant Commissioner over Adolescent Services, another living environment.
- (2) The Department may make care and maintenance payments directly to the contracted placement or may make young adult support payments directly to the young adult as long as the young adult is living in a supervised independent living setting, uses the youth support payments for housing, food and other living expenses, and meets monthly with the Department Social Worker. The young adult must also agree to monthly visits by the Department Social Worker at his/her living location.
- (3) The Department may make young adult support payments when the young adult demonstrates responsibility and compliance with the agreements made with the Department as set forth in the voluntary placement agreement and the service plan and in monthly meetings with his or her Department social worker. The Department will establish guidelines to determine the amount of the youth support payment. Payments may be suspended or terminated if the Department

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- determines there are significant changes in the young adult's circumstances or the young adult's ability to manage the payments. Before young adult support payments are suspended or terminated, the young adult shall be provided an opportunity to submit information to the Director of Areas in support of his/her request to continue payments.
- (4) The Director of Areas must approve the initiation, suspension or termination of young adult support payments. In rare circumstances, a youth between 17 and 18 may be approved by the Director of Areas to receive young adult support payments.
- (5) The department's continued responsibility for such persons is contingent upon the express written consent of the person or their guardian unless: (i) before reaching the age of 18, the person had an intellectual disability and was declared mentally incompetent under clause (3) of subsection (a) while under the responsibility of the department; or (ii) the person is under the responsibility of the department pursuant to section 5-305 of chapter 190B.

### **7.606: Discharge Support Services**

The Department may provide discharge financial support to young adults who are transitioning to living independently as adults. Discharge support payments may include payments toward first and last months rent, security deposit, essential household items, or other related needs. These services are subject to the limitation of funding received from the federal government.

- (1) Eligibility. A young adult is eligible for discharge financial support if the young adult is:
- (a) under the care and responsibility of the Department, ; and
  - (b) between the ages of 18 and 21; and
  - (c) within 3 months prior to discharge from a Department placement or is planning to live independently as an adult; and
  - (d) making progress toward development of life skills as specified in the young adult's service plan; and
  - (e) willing to participate in the discharge planning process; and
  - (f) able to afford the ongoing cost of the apartment or other living arrangement after the discharge support payments have been provided.
- (2) Application. In order to receive discharge financial support, the Department's social worker assigned to the young adult's case must apply prior to the young adult's anticipated discharge from placement, for discharge support funding from the Department's Adolescent Support Services Unit.
- (3) Decision. The Department's Adolescent Support Services Unit will notify the young adult's social worker of the outcome of the application and the process for

payments. The young adult's social worker will notify the young adult of the outcome.

**7.607: Denial, Reduction, or Termination of Services**

- (1) Young adult support services may continue until the age of 22 as long as the young adult continues to meet one of the criteria listed in 110 CMR 7.602, regularly meets with his/her Department Social Worker, and cooperates with other reasonable requests made by the Department. The young adult's continued participation in such Department services must be under conditions agreed upon by both the Department and the young adult.
- (2) The Department will work with the young adult to develop a transition plan beginning 90 days prior to the end of young adult services or 90 days prior to discharge from placement, whichever is earlier. The transition plan must be personalized at the direction of the young adult, be as detailed as he/she chooses and include specific options regarding housing, health insurance, education, local opportunities for a mentor or continuing support services, work force supports and employment services, and information about the importance of a health care proxy.
- (3) The Department may deny, reduce or terminate any or all of young adult services if the young adult does not meet one of the criteria in 110 CMR 7.602, does not meet regularly with the Department social worker, or otherwise does not cooperate with the Department's requests as outlined in the service plan. If the Department decides to deny, reduce or terminate young adult services, it must do so in writing at least 30 days prior to the agency action and must state the reasons for the denial, reduction or termination. In a situation where the agency is terminating all services the Department must complete the transition planning with the young adult as required above. The process to deny, reduce or terminate young adult services is governed by 110 CMR 8.00.
- (4) Any young adult aggrieved by the denial, reduction, or termination of young adult services, excepting young adult support payments, may request a fair hearing on the matter up to the age of 22, pursuant to 110 CMR 10.00 et seq. If the request for a fair hearing is made within 10 days of notice of the denial, reduction or termination of young adult services, the services shall continue pending the outcome of the fair hearing. Any young adult aggrieved by the denial, reduction or termination of young adult support payments may request a grievance and have an opportunity to present information/documentation to the Director of Areas in support of his or her request to have young adult support payments or to not have payments suspended or terminated.

**REGULATORY AUTHORITY:**

M.G.L. c. 18B, §§ 3 and 7; c. 119, §37; c. 30A.