LB 441: Bridge to Independence Implementation Bill

The Young Adult Bridge to Independence Act

In 2013, the Nebraska Legislature passed and Governor Heineman signed LB 216, which created the Bridge to Independence program and the extended adoption and guardianship assistance program to provide extended services and support to age 21 for eligible young people who were previously in foster care. In 2014, the Legislature passed and Governor Heineman signed LB 853, which implemented the initial recommendations of the statutorily created Bridge to Independence Advisory Committee and renamed the law, the Young Adult Bridge to Independence Act. After receiving approval from the federal government on August 21, 2014, the Nebraska Department of Health and Human Services (DHHS) launched the programs on October 1, 2014.

The Programs

The Young Adult Bridge to Independence Act governs two primary programs: the Bridge to Independence (B2I) program and the extended adoption and guardianship assistance program. These programs are authorized by the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 and more than a dozen other states have established similar programs.

• B2I: Young adults are eligible for the B2I program if they aged out of foster care or were discharged to independent living and meet one of the education and work requirements listed in the sidebar at left. As part of the B2I program, eligible young adults must sign a voluntary services and support agreement and are then eligible to receive case management through an Independence Coordinator, a housing stipend, and medical assistance. They must also participate in 6-month reviews by the Foster Care Review Office and annual reviews by the juvenile court.

• Extended adoption and guardianship assistance program: This program extends the monthly adoption or guardianship subsidy to the young adult's adoptive parent or guardian to age 21, for young adults who entered into such agreements at age 16 or older, so long as the young adult meets the same education and work requirements as young adults in the B2I program. Due to fiscal limitations, LB 216 created a bifurcated extended guardianship program, one for young adults in a guardianship with a licensed relative and another capped-state only program for young adults in a guardianship not with a licensed relative.

The Status

Just three months into the program, 96 young adults are participating in the B2I program and are working with Independence Coordinators to develop goals for their future and connect to helpful services. We believe this program is on track to remove barriers, improve foster care outcomes, and prevent further reliance on adult systems.

However, with the program now implemented, needed statutory changes have been identified. Therefore, LB 441 is important because it implements 2014 recommendations from the Advisory Committee and input from stakeholders, provides clarity on certain pieces of implementation, and makes some technical changes.
LB 441 does five things:

1. LB 441 gives young adults who were guardianshiped from foster care at age 16 or older the option to participate in the B2I program or the extended guardianship assistance program

   • Currently, no (0) young adults have opted to participate in the extended guardianship program. LB 441 repeals the existing complex extended guardianship program and gives young adults the choice to participate in a simplified extended guardianship program or to voluntarily opt into the B2I program. These changes will ensure that a guardianshiped youth have access to the services and support they need to successfully transition into adulthood while maintaining their relationship with their guardian. This will address concerns raised by the B2I Advisory Committee about the exiting program, including that the stipend goes to the guardian rather than the young person and there is no supportive case management available to these young people.

2. LB 441 clarifies that young people in B2I are also eligible for medical assistance

   • LB 441 clarifies the intent of the Legislature to provide all young adults in the B2I program, the extended guardianship program, and the extended adoption program with access to health care coverage. The existing legislative appropriation should be sufficient to cover these costs. This coverage will prevent health problems from following a young person into adulthood and will also help the young adult avoid unnecessary medical debt.

3. LB 441 reduces timelines and minimizes disruption for young people as they age out

   • LB 441 adjusts the timeline for DHHS to begin providing services after the voluntary services and support agreement has been signed, from 45 to 15 days. The bill also shortens the time that DHHS has to file a petition with the juvenile court after the agreement is signed, from 45 days to 15 days. LB 441 also requires DHHS to ensure that there is no interruption in services for young people who are eligible and choose to participate in the B2I program immediately after they age out. These changes are consistent with stakeholder feedback that, with only two years to take part in this program, it is important that services and supports are in place as quickly as possible in order to truly improve outcomes for these young people.

4. LB 441 implements other stakeholder recommendations to include tribally adjudicated youth, to strengthen the transitional hearing, and to ensure confidentiality

   • LB 441 establishes that youth adjudicated by a tribal court may also be eligible for B2I. While this eligible group is very small, the bill ensures that all youth in foster care are treated equally under the law and have the same opportunity to participate in the B2I program.

   • LB 441 specifies that the juvenile court use the final court hearing before the youth ages out of foster care to focus on the child’s future goals and access to services and support and specifically advise the youth of their rights related to the B2I program during this hearing. The hearing will be called an “Independence Hearing” and is similar to “benchmark hearings” that have been recognized as a best practice in other states.

   • LB 441 also ensures that a young adults’ information, as a part of the B2I case, will be kept confidential.

5. LB 441 includes a requirement intended to maximize federal matching funds for this program

   • LB 441 directs DHHS to determine federal Title IV-E income eligibility based on the young adult’s income as soon as they come into the program as allowed by federal law. This should significantly improve the federal matching funds available for this program, and reduce state General Fund costs.