

MEMORANDUM

TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

TO: CPS Regional Directors
CPS Program Administrators
CPS Program Directors

FROM: Audrey Deckinga
Assistant Commissioner for CPS

SUBJECT: New Requirements Related to Issuing Personal Documents to Youth At Age 16 and At Age 18

DATE: February 1, 2010 **PSA 10-062**



This PSA provides new and updated guidance regarding youth receiving required documents prior to turning age 16 and again at age 18 before being discharged from foster care.

House Bill (HB) 1912, of the 81st Legislature, Regular Session, 2009, amended Section 264.121 of the Family Code. Beginning September 1, 2009, youth in the conservatorship of DFPS on or before they turn age **16** must be provided with a certified copy of:

- the youth's birth certificate;
- a social security card or replacement social security card, as appropriate; and
- a personal identification certificate issued by the Texas Department of Public Safety (DPS).

The youth's primary caseworker is responsible for ensuring that these documents are given to the youth prior to or when they turn age 16. The primary caseworker must make every reasonable effort to provide these documents to the youth or their primary caretaker in a timely manner. Only when the primary caseworker is unable to meet this requirement will the regional Preparation for Adult Living (PAL) staff be designated to assist youth in:

- obtaining original documents;
- obtaining replacement documents; or
- providing information on how to obtain copies, as appropriate.

In addition, Senate Bill (SB) 983 of the recent 81st Legislature, Regular Session, 2009, amended 264.014 of the Family Code. Beginning September 1, 2009, when a youth is discharged from foster care due to turning **18** years of age or has had the **disabilities of minority* removed, the youth's primary caseworker is responsible for providing the youth copies of:

- the youth's birth certificate;
- a social security card or a replacement social security card;
- a personal identification certificate issued by DPS;

AN EQUAL OPPORTUNITY EMPLOYER

- the youth's immunization records;
- information contained in the youth's health passport; and
- proof of enrollment in Medicaid, if appropriate.

These documents must be provided no later than the 30th day before the youth is discharged from care or has his disabilities of minority removed. If the primary caseworker is unable to provide these documents in a timely manner, the regional PAL staff may assist the youth in obtaining the documents. If the youth has already been provided with their certified birth certificate, social security card, and personal identification certificate AND they are physically accessible to the youth, DFPS does not have to obtain additional documents.

*Removal of *disabilities of minority* can only occur through a court order. The youth must petition a court and the court must find that the removal of the disabilities of minority is in the best interest of the youth before the youth can be considered an adult.

These requirements supersede PSA 07-061 "Documentation of Citizenship and Identification for Aging Out Youth" which required the youth's caretaker(s) to assist the youth in obtaining an official state photo identification issued by DPS and a social security card. However, certain sections of PSA 07-061 have been incorporated within this PSA.

Contact Information for regional PAL staff is available at: http://www.dfps.state.tx.us/Child_Protection/Youth_and_Young_Adults/Preparation_For_Adult_Living/PAL_coordinators.asp.

Information Related to Obtaining Required Documents:

Personal Identification Certificates or Drivers Licenses:

Personal identification certificates are issued by DPS and are similar in form to, but distinguishable in color from, a driver's license. If a person is under 21 years of age, "UNDER 21" will be on the face of the identification certificate. Identification certificates are nationally accepted forms of identification to establish identity at airports, banks, voting and applying for government aid. A Texas driver's license may be substituted for an identification certificate if the youth qualifies. A social security number is mandatory for driver license applicants, but voluntary for identification card applicants.

To obtain either a Texas driver's license or personal identification certificate, a certified birth certificate and other additional records or supporting documentation must be submitted with a DPS application. A list of required documentation, records, costs associated with purchasing these documents and the DPS application are available at <http://www.txdps.state.tx.us/driverlicense/>.

Social Security Cards:

When obtaining a replacement social security card, youth should be informed that the Social Security Administration only allows 3 replacement cards in a year and a total of 10 during a lifetime. There are no costs associated with obtaining a social security card. To prevent identity theft, social security cards should be kept in a safe place and not carried with the youth.

Requesting Certified Birth Certificates:

If birth certificates cannot be obtained from the youth's parent(s), relative(s), or guardian, authorized CPS foster care regional eligibility staff have access to the Texas Department of State Health Services' Bureau of Vital Statistics (BVS) system. A certified copy of a birth certificate costs \$22.00 from the BVS system. Reimbursement for costs associated with obtaining certified birth certificates are currently outlined in PSA 07-057. Procedures to request certified birth certificates are described in:

- PSA 07-057 Purchasing Certified Birth Certificates;
- PSA 05-091 Clarification on Certified Birth Certificates; or
- PSA 02-095 Use of Certified Birth Certificates

If a youth does not have a U.S. citizenship certificate or a certificate of naturalization, the youth's primary caseworker must contact the regional attorney to discuss how an official state driver's license or a personal identification certificate may be obtained for the youth.

Health Passports (STAR Health); Proof of Medicaid Enrollment; and Immunization Records

The STAR Health program provides and coordinates healthcare services for current and former foster youth and tracks each youth's healthcare services and records. In addition, the web-based Health Passport tracks youth's Medicaid enrollment and other medical services provided. At a minimum, information in a youth's Health Passport contains:

- the youth's name, birth date, address on record and Medicaid ID number;
- name and address of each of the youth's physicians and health care providers;
- a record, based on Medicaid claims, of each visit to a physician or other healthcare provider, including routine checkups;
- a record of immunizations;
- identification of the youth's known health problems; and
- prescription information.

The primary caseworker is responsible for locating and providing copies of immunization records to the youth who have opted out of the STAR Health program if these records are not currently in the youth's Health Passport.

Funding Sources:

Funding to pay the costs of a personal identification certificate or drivers license may be accessed from other sources, if funding is available. These sources include:

- DFPS regional funds;
- Child welfare boards;
- Rainbow Rooms;
- Community resources;
- Transition Centers; or
- PAL funds.

Documentation Requirements:

As part of the youth's permanency planning meetings such as Circles of Support and Transition Plan Meetings, facilitators should review and verify with the youth and their caregivers that the above-referenced documents have been obtained or are in the process of being obtained for the youth and document the results in the youth's plan. Facilitators should also ensure that youth have the designated regional PAL contact information if the primary caseworker is unable to obtain documents for youth in a timely manner.

The youth's primary caseworker must document in a contact narrative in IMPACT that the youth or the youth's primary caregiver were given the required documents and any efforts required to obtain the documents if unable to secure by the time the youth turns 16 or 18, where applicable. If the youth's primary caretaker was provided these documents they must be kept in the external case file with the youth's other personal information and given to the youth when they either leave care or change placements.

Efforts to obtain certified documents or copies of documents should occur at least 90 days before the youth turns age 16 or age 18. This will ensure that youth receive these documents according to Texas law and also allows for additional time to resolve issues or problems which may result in a delay or denial of a document.

The following attachments are to be used by staff as appropriate and filed in the youth's external case file:

Actions:

Conservatorship, Foster and Adoptive Development, PAL, COS, ISEEYOU, and Family Group Decision Making staff should review and sign a copy of this PSA. Disseminate and distribute to other staff, providers, youth and other interested parties.

Effective immediately, primary caseworkers will ensure that documents referenced above are provided to youth prior to or upon turning age 16 and age 18.

All staff who facilitate Circles of Support and/or Transition Plan Meetings will ensure that required documents are discussed and planned with the youth during the meeting.

Contact:

Shannon Ramsey, Transitional Living Services-Team Lead, at (512) 438-2350.
Carrie Lopez Permanency Specialist, at (512) 438-3589.
Gaye Vopat, Statewide PAL Specialist, at (512) 438-5442.

cc: PAL Staff
CPS Caseworkers

Attachment A: Personal Documents Checklist for Youth-Age-16
Attachment B: Personal Documents Checklist for Youth-Age 18