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**HOUSE BILL NO. 1964****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Health and Human Services  
on January 28, 2025)

(Patron Prior to Substitute—Delegate Tata)

*A BILL to amend the Code of Virginia by adding in Chapter 9 of Title 63.2 an article numbered 3, consisting of sections numbered 63.2-924 through 63.2-927, relating to Future in Focus Program established.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Chapter 9 of Title 63.2 an article numbered 3, consisting of sections numbered 63.2-924 through 63.2-927, as follows:**

*Article 3.*

*Future in Focus Program.*

**§ 63.2-924. Definitions.**

*For purposes of this article, unless the context requires a different meaning:*

*"Local department" means the local department of social services under the local board having care and custody of the Program participant when the Program participant reached 18 years of age.*

*"Program" means the Future in Focus Program established in this article.*

*"Program participant" means an individual who meets the eligibility criteria set forth in § 63.2-926.*

*"Voluntary agreement" means a binding written agreement entered into by the local department and the Program participant in accordance with § 63.2-926.*

**§ 63.2-925. Future in Focus Program.**

*The Future in Focus Program is established to provide services and support to individuals 21, 22, and 23 years of age who are residents of the Commonwealth and who participated in the Fostering Futures program established pursuant to § 63.2-917 immediately prior to attaining 21 years of age. Such services and support shall be designed to assist the Program participant in transitioning to adulthood, becoming self-sufficient, and creating permanent, positive relationships. The Program is voluntary and shall at all times recognize and respect the autonomy of the Program participant. The Program shall not be construed to abrogate any other rights that a person 18 years of age or older may have as an adult under state law. The Program shall not be considered foster care and thus Program participants shall not be considered to be in foster care.*

**§ 63.2-926. Program eligibility; voluntary agreement; termination.**

*A. The Program is available on a voluntary basis to an individual 21, 22, or 23 years of age who:*

*1. Is a resident of the Commonwealth;*

*2. Turned 21 years of age on or after July 1, 2025;*

*3. Participated in the Fostering Futures program established pursuant to § 63.2-917 immediately prior to attaining 21 years of age; and*

*4. Is (i) completing secondary education or an equivalent credential; (ii) enrolled in an institution that provides postsecondary or vocational education; (iii) employed for at least 80 hours per month; (iv) participating in a program or activity designed to promote employment or remove barriers to employment; or (v) incapable of doing any of the activities described in clauses (i) through (iv) due to a medical condition, which incapability is supported by regularly updated information in the Program participant's case plan.*

*B. In order to participate in the Program, the eligible Program participant shall enter into a voluntary agreement with the local department. Such agreement shall include, at a minimum, the following:*

*1. A requirement that the Program participant maintain eligibility to participate in the Program in accordance with the provisions of subsection A for the duration of the voluntary agreement;*

*2. A disclosure to the Program participant that participation in the Program is voluntary and that the Program participant may terminate the voluntary agreement at any time; and*

*3. The specific conditions that may result in the termination of the voluntary agreement and the Program participant's early discharge from the Program.*

*C. A Program participant may terminate the voluntary agreement at any time. Upon such termination, the local department shall provide the Program participant with a written notice informing the Program participant of the potential negative effects resulting from termination, the option to reenter the Program through the age of 23, and the procedures for reentering if the participant meets the eligibility criteria of subsection A.*

*D. If the local department determines that the Program participant is no longer eligible to participate in the Program, the local department shall terminate the voluntary agreement and cease the provision of all payments and case management services. The local department shall give written notice to the Program participant 30 days prior to termination that the voluntary agreement will be terminated and provide (i) an explanation of the basis for termination, (ii) information about the option to enter into another voluntary agreement once the Program participant reestablishes eligibility, and (iii) information about and contact*

60 information for community resources that may benefit the Program participant. Academic breaks in  
61 postsecondary education attendance, such as semester and seasonal breaks, and other transitions between  
62 eligibility requirements under subsection A, including education and employment transitions not longer than  
63 90 days, shall not be a basis for termination.

64 **§ 63.2-927. Case management services; stipend payment.**

65 A. The local department shall assign a caseworker for each Program participant to provide case mana  
66 gement services. The caseworker shall conduct a face-to-face meeting with the participant at least once every  
67 other month.

68 B. Each Program participant shall receive a stipend payment. Such payment shall be provided by the  
69 local department, shall be determined by the Department and shall be based on the foster care maintenance  
70 payment rate in effect at the time such stipend payment is made.

71 C. The stipend payment and case management services to be provided to the Program participant  
72 pursuant to the voluntary agreement shall begin no later than 30 days after both the Program participant and  
73 the local department sign the voluntary agreement in accordance with subsection B of § 63.2-926.

74 **2. That the State Board of Social Services (the Board) shall promulgate regulations to implement the**  
75 **provisions of this act, including establishing a gradual decrease of stipend payments made to**  
76 **participants under the Future in Focus Program (Program). Stipend payments shall be based on the**  
77 **foster care maintenance rate in effect at the time such stipend payment is made. Program participants**  
78 **21 years of age shall receive a stipend payment of 75 percent of such rate, Program participants 22**  
79 **years of age shall receive a stipend payment of 50 percent of such rate, and Program participants 23**  
80 **years of age shall receive a stipend payment of 25 percent of such rate. The Board's initial adoption of**  
81 **regulations necessary to implement the provisions of this act shall be exempt from the Administrative**  
82 **Process Act (§ 2.2-4000 et seq. of the Code of Virginia).**