

To: Honorable Members of the House Children & Youth Committee

Date: October 1, 2024

Subject: Support for Preservation of Benefits for Foster Youth

Our group represents a coalition of stakeholders from across Pennsylvania, and the nation, who are committed to improving outcomes for children and youth in foster care. Together as attorneys, guardians *ad litem*, social workers, and advocates who support Pennsylvania children and families, we believe that legislation is urgently needed to increase access to and preservation of benefits that belong to children and youth in foster care. We are confident that Pennsylvania will commit to protecting the interests of foster youth in its care, while also investing in their future financial stability, and opportunities as they exit care. We are appreciative that the chairs, and members, of the House Children and Youth Committee are convening an informational meeting on this topic. We are further encouraged that Representative Krajewski has introduced House Bill 2617 to address this issue, and ask that the committee swiftly bring the bill to a vote.

Poverty and financial hardship disproportionately impact children and families who encounter the child welfare system. For children and youth who enter foster care, access to federal benefits—such as disability benefits through the Supplemental Security Income (SSI) program and survivor benefits through the Old-Age, Survivors, and Disability Insurance (OASDI) program and the Veterans Administration—may be their lifeline to successfully transitioning out of care. Many of these youth may have diagnosed disabilities and/or have experienced the death of a parent, and these benefits can help them pay for unmet needs that are crucial to their success and survival leaving care, such as housing, education, transportation, clothing, or medical bills.

Unfortunately, many foster youth in Pennsylvania who are eligible for these benefits do not receive them. In many cases, the county agencies responsible for the care of these youth apply for and receive the child's benefits instead of the child. While federal law requires states to pay for the living costs of children in state care, some foster youth in Pennsylvania are forced to pay for their own care when the county agency becomes the representative payee for their benefits. Even where the local county agency is not the representative payee for these benefits, countless foster youth are still unable to access these vital financial supports because benefits are suspended when they enter care or because their eligibility for benefits is never assessed upon entering care or thereafter. These youth are left to navigate tremendous obstacles as they transition out of foster care without access to benefits that can support their economic stability, self-sufficiency, successful outcomes, and reunification with family.

County agencies should ensure that foster youth with the greatest needs receive the necessary benefits to support their wellbeing and futures. From the onset of a child entering foster care, county agencies should regularly screen and, if eligible, apply for benefits on behalf of the child. If benefits are received, the county agency should partner with the child's attorney or guardian *ad litem* to identify an appropriate representative payee, which may not be the county agency

but rather a family member or other trusted adult in accordance with the established categories of preferred payees as outlined by the Social Security Administration. In addition to screening and applying for benefits, Pennsylvania must end the practice of forcing foster youth to pay for their own care, and instead prioritize creating avenues for economic stability and opportunity. If the county agency is designated as representative payee, the agency should create an individual financial account for the child's benefits, and use or conserve the benefits to serve the best interest of that child.

We have heard directly from foster youth that transparent communication and empowerment are crucial to their success. Currently, there is no requirement for foster youth or their families to be notified if a county agency is receiving benefits on the child's behalf. County agencies should be required to notify foster youth and their families of any application, decision, communication or appeal related to benefits, and to offer financial empowerment training concerning use of these funds. Especially for youth approaching adulthood, we must meaningfully prepare them for the transition from foster care to independence. Creating and maintaining pathways to economic stability and self-sufficiency for foster youth with the greatest needs by conserving their benefits will support youth in achieving successful outcomes upon leaving care.

We appreciate your attention to this important issue impacting Pennsylvania's foster youth. We hope that the information provided will encourage members to support House Bill 2617 by bringing it to a vote before the committee. If you have any further questions, please feel free to contact any of the listed organizations for additional information.

Supporting Organizations:

Allies for Children
CASA of Philadelphia County
Center for Children's Justice
Children's Advocacy Institute
Children First
Community Legal Services
Covenant House Pennsylvania
Defender Association of Philadelphia
Delaware County Office of Public Defender
Disability Empowerment Center
Disability Rights Pennsylvania
Education Law Center
FosterStrong
Homeless Advocacy Project
HopePHL
Juvenile Law Center
KidsVoice
Montgomery County Public Defender, Child Advocacy Unit
National Network for Youth
Pennsylvania Family Support Alliance

Pennsylvania Partnerships for Children
Philly Homes 4 Youth Coalition
Public Defender Association of Pennsylvania
Rehabilitative and Community Provider Association
Support Center for Child Advocates
The Field Center of Children's Policy, Practice and Research at the University
of Pennsylvania
The National Center for Lesbian Rights
Turning Points for Children
Youth Law Center

Individuals Supporting:

Daniel Hatcher, Professor of Law, University of Baltimore Law School
Lucy Johnston-Walsh, Child Attorney/Guardian Ad Litem
Sarah Katz, Esq.