

REVISED MOTION BY SUPERVISORS HILDA L. SOLIS
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JULY 13, 2021

Social Security Benefits for Youth in Foster Care

Los Angeles County (County) is committed to ensuring that children and youth in foster care have access to the resources, services and supports they need to thrive.

That commitment extends to ensuring these children and youth receive their social security benefits, including when they leave foster care.

Social Security Administration program benefits, including but not limited to Social Security Disability Insurance (SSDI), Supplemental Security Income/State Supplementary Payment (SSI/SSP), and Survivors Benefits, can provide critical funding for children and youth in foster care, especially for transition age youth who are facing food insecurity or struggling to access safe and stable housing. Unfortunately, foster youth experience rates of homelessness disproportionately higher than that of the general population. Access to housing has been a high area of need for foster youth for many years; however, the COVID-19 pandemic has significantly exacerbated the issue. Social Security benefits can help meet these basic needs because they usually exceed

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the amount of financial support provided through other safety net programs and, in the case of SSI/SSP, come with automatic linkages to Medi-Cal and vocational support services.

Under California Welfare and Institutions Code 137570 et seq., county placing agencies are required to fulfill certain duties to connect eligible young adults with SSI/SSP benefits when they are preparing to transition into adulthood and independence. They must screen all youth over the age of 16 ½ for potential SSI eligibility and apply on behalf of any youth who is likely to be eligible for SSI/SSP, with the goal of establishing eligibility by age 18. If a youth has been found eligible for SSI payments and is approaching age 18, the county must provide information to the youth about becoming their own representative payee or designating a payee of their choice, regardless of whether the youth remains in care. The county must also inform young adults about how to complete the SSA's process of maintaining SSI eligibility as an adult and provide assistance as appropriate. If the county is appointed to serve as the youth's representative payee, then it must establish a no-cost, interest-bearing maintenance account for the youth, itemize income and expenses, and establish procedures for disbursing the balance of the account to the youth upon their exit from care. In some cases, the county must also create and maintain a dedicated account for the youth and can only use these funds for specific, disability-related expenses. County agencies must also follow certain fiscal rules under state law at the time of application and at least once annually after eligibility has been established to ensure the youth's ongoing financial eligibility for SSI/SSP.

In light of the housing crisis impacting foster youth, and in connection with the

need to identify resources to reduce youth homelessness, we must ensure we are doing everything possible to provide these youth with whatever they need to be successful, including essential federal safety net resources like Social Security benefits.

WE, THEREFORE, MOVE that the Board of Supervisors direct the Department of Children & Family Services (DCFS) and the Probation Department, working with the Department of Health Services Countywide Benefits Entitlement Services Team, to report back in sixty (60) days regarding:

1. The number of foster youth currently entitled to benefits through any Social Security Administration program, including but not limited to Social Security Disability Insurance (SSDI), Supplemental Security Income/State Supplementary Payment (SSI/SSP), and Survivors Benefits, in 2019, 2020 and 2021.
2. Of the number of foster youth currently entitled to Social Security benefits, the number of youth who entered care with benefits in place.
3. The number of applications filed by DCFS or Probation Department for minors in foster care who are eligible or likely to be eligible for any Social Security Administration program, including but not limited to Social Security Disability Insurance (SSDI), Supplemental Security Income/State Supplementary Payment (SSI/SSP), and Survivors Benefits, in 2019 and 2020, and the number of applications approved by SSA.
4. The number of applications filed by DCFS or Probation Department for nonminor dependents who are eligible or likely to be eligible for any Social Security Administration program, including but not limited to Social Security Disability Insurance (SSDI), Supplemental Security Income/State Supplementary Payment

(SSI/SSP), and Survivors Benefits, in 2019 and 2020, and the number of applications approved by SSA.

5. The number of age-18 redeterminations handled by DCFS or Probation Department for nonminor dependents who are eligible for Supplemental Security Income/State Supplementary Payment (SSI/SSP), in 2019 and 2020.
6. The number and age of children for whom DCFS or Probation suspended Social Security Administration benefits for one month each calendar year to ensure they maintain eligibility for Social Security Administration benefits once eligibility is established, in 2019 and 2020.
7. The representative payee (DCFS or the Probation Department vs. parent/relative/caregiver vs. nonminor dependent) of youth entitled to the above referenced benefits.
8. DCFS and the Probation Department's current process to designate social security benefits toward reimbursement of foster care expenditures.
9. Changes in policy and funding necessary to (1) maximize eligibility for Social Security benefits for youth in foster care, and (2) conserve the entirety of a youth's social security benefit in an account to be provided to the youth when they exit foster care, rather than utilizing the funds in part or whole for reimbursement of foster care expenditures.
10. The number of maintenance accounts held for foster youth in 2020.
 - Of that total number of maintenance accounts, the approximate number that reached the \$1,500 threshold in 2020, thus triggering DCFS form 341 instructing the case-carrying social worker to disperse excess funds.

- Of excess funds spent from maintenance accounts exceeding \$1,500, the percentage utilized toward items directly benefitting the youth, and what percentage was otherwise designated or absorbed (please detail where the funds were applied).

11. The number of dedicated accounts held for foster youth in 2020 and the approximate total dollar value of those accounts in 2020.

12. The percentage of youth whose court cases terminated in 2020 who were eligible for social security benefits who had maintenance and/or dedicated accounts, including how many, if any, of those youth were provided with these accounts and/or advised as to how to access funds held in trust on their behalf.

13. Any and all forms or policies used by the County to notify youth and/or caregivers of ongoing eligibility for Social Security benefits, steps to take to receive those benefits, and information about how to access the accounts described above.

14. Any partnerships with community-based organizations to improve access to Social Security benefits for youth in foster care, including organizations that assist with appeals and advocacy and organizations that provide financial management services to youth who are receiving payments directly as their own representative payees.

I FURTHER MOVE that the Board of Supervisors direct DCFS and the Probation Department, working with the Department of Health Services Countywide Benefits Entitlement Services Team, to ensure a no-cost, interest-bearing, bank account is created for each eligible youth in foster care to deposit social security benefits to access upon exit from foster care. This could include a CalABLE account.

I FURTHER MOVE that the Board of Supervisors direct DCFS and the Probation Department, working with the Department of Health Services Countywide Benefits Entitlement Services Team, to ensure minor youth's caregiver or another appropriate person who is managing youth's finances when the minor youth exits care are made the representative payee and nonminor dependents, or a representative when appropriate, are made payee so that they can receive social security benefits when they exit care. This should include making nonminor dependents aware of their right to become representative payees while still in care.

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