



**U.S. House of Representatives Committee on Ways and Means
Subcommittee on Work & Welfare**

*Written Comments for Hearing, "Pathways to Independence: Supporting Youth
Aging Out of Foster Care"*

Chairman Smith, Ranking Member Neal, Subcommittee Chairman LaHood, Subcommittee Ranking Member Davis, and Members of the House Committee on Ways and Means, thank you for the opportunity to submit this statement for the record.

The Child Welfare League of America (CWLA) is a coalition of hundreds of private and public agencies that since 1920 has worked to serve children and families who are vulnerable. Our expertise, leadership and innovation on policies, programs, and practices help improve the lives of millions of children across the country. Our impact is felt worldwide.

We are grateful to the Chairman and Ranking Member for holding this important hearing and we appreciate the opportunity to submit our recommendations to better support young people transitioning from foster care to independence. CWLA acknowledges and applauds the long history of bipartisan leadership on child welfare issues.

Nearly 20,000 young people transition from foster care to independence without the benefit of formal reunification or an alternative permanency outcome each year. We share the Committee's desire to better support this population of young adults to ensure they can successfully transition to adulthood. During the hearing, we heard many important themes and good ideas with which we agree, which we will highlight below. We will focus on key areas of support for older youth in foster care: extended foster care, mentoring, mental and behavioral health services, and caregiver and caseworker stability.

Extended Foster Care

We believe extending foster care services beyond age 18 continues to be the best way to support older youth. As you know, society has changed since Congress first directed federal foster care to end at age 18 in 1980 – traditional paths to adulthood no longer include finding a full-time job

shortly after high school and retaining that job for years, building long-term stability and security. Immediate marriage, enrollment, or being drafted into the military have changed as well, happening less commonly than in the past. Even education has changed, with fewer students completing two- and four-year degrees on time. With rising costs of living and fewer opportunities available, many young adults choose to live at home and rely on the support of their families well past high school as they seek education, employment, and stable housing; why do we expect their peers in foster care to become fully independent on their eighteenth birthday? We must ensure that young people in foster care have access to similar supports as they transition to adulthood and independence.

Federal data tells us that compared to youth that exit foster care at age 18, youth who remain in care have better outcomes across multiple measures. According to the National Youth in Transition Database (NYTD) report to Congress in February 2020, youth who remain in care have higher rates of employment, housing, school attendance and graduation, and health coverage. They also have lower rates of incarceration, drug treatment referrals, and giving birth or fathering a child.¹

Since the passage of the *Fostering Connections to Success and Increasing Adoptions Act of 2008*, states have had the option to claim Title IV-E funding for extended foster care up to age 21; to date, 28 states, the District of Columbia, and nine Tribes have extended Title IV-E foster care for youth beyond age 18. Mr. Lloyd's testimony highlighted the need for more states to give young people in care the option to extend foster care past age 18 to support older youth. Mr. Otero, when asked how extended foster care impacted his life, noted that he would not be where he is today without the additional support he received in his early years of adulthood; this support allowed him to be resilient and to ultimately be successful and independent on his own.

CWLA has endorsed H.R. 7010, the bipartisan *Increasing Access to Foster Care Through 21 Act*, introduced by Representatives Chu and Houchin, which would incentivize states to extend foster care through age 21. The Increasing Access to Foster Care Through 21 Act would provide a financial incentive to states to take up the option to extend care by removing Title IV-E income eligibility requirements for youth ages 18-21, ensure that youth who voluntarily leave care at 18 would have the ability to re-enter care should they need to, ensure categorical eligibility for extended care for youth ages 18 through 21, and request guidance on how caseworkers can better connect youth in foster care with Workforce Innovation and Opportunity Act (WIOA) youth job programs.

Although we believe that extending foster care through age 21 should be mandated for all states, this bill builds on the advances in supports and service provision made by states that currently

¹ NYTD Report to Congress. Administration on Children and Families. Children's Bureau. February 18, 2020. Retrieved from <https://www.acf.hhs.gov/cb/report/nytd-report-congress>

extend foster care beyond age 18 and is an important step toward ensuring that more young people in foster care have the option to remain in care.

Mentoring

Several of the panelists spoke of the need for more supportive adults in the lives of older youth in foster care, and one way to foster this support is through high-quality mentorship programs. Mr. Kiefer and Ms. Behr's testimony and answers to questions were particularly helpful in illustrating the positive impacts of mentors on the lives of older youth in care.

CWLA has been generally supportive of mentoring proposals in the past, as we know that young people flourish when they have supportive adults they can rely on. We caution the Committee to be thoughtful when considering mentoring proposals for Title IV-B reauthorization this year, as there can be significant negative consequences to young people when mentorships are disrupted or discontinued. The Grants for Programs for Mentoring Children of Prisoners (Sec. 439. [42 U.S.C. 629i]) created during the 2002 reauthorization of Title IV-B part 2, Promoting Safe and Stable Families was ultimately discontinued due to concerns over the rates of failure in some programs, which in many cases can cause added loss for the children and youth being mentored.

Children in foster care have categorically experienced trauma, maltreatment, and loss of parents or caregivers through either separation or death. Additionally, many children and youth involved in the child welfare system have significant mental and behavioral health needs. When a mentor is unprepared or underprepared for the responsibilities and difficulties of establishing a caring relationship with a child or youth who has experienced this kind of loss or a child with a higher level of needs, it can lead to the mentor choosing not to continue with the program. This disruption results in yet another loss, yet another adult who doesn't stay, for the child being served, potentially exacerbating their past trauma in the process.

Any bill or proposal to provide mentoring for youth in foster care needs to address the underlying challenges potential mentors will face and how mentoring programs for children in care including children whose parents have been incarcerated will prepare mentors on potential challenges. It will need to have strong provisions that ensure adequate screening, training, and support of volunteer mentors to keep them in the program, thoughtful and rigorous selection and matching processes for children and mentors, trauma-informed and trauma-sensitive approaches to program implementation, and regular evaluation of outcomes for both child and adult participants.

Mental Health

There is currently an emergency in children’s mental health.² Mental and behavioral health is the largest unmet health need for children and teens in foster care,³ with up to 80% of children in foster care having significant mental health issues compared to approximately 18-22% of the general population.⁴ Older youth in and exiting foster care need additional mental and behavioral health support. We are supportive of the Title IV-B mental health bills that have been introduced or are in the process of being proposed that would increase attention to mental health – these bills ensure timely screening and identification of mental health concerns and promote connection to services through peer navigation and set-aside funding.

However, the bill text and proposals we have seen do not address the service gaps and barriers that exist in the mental health system and prevent children, youth and families from accessing care. Timely assessment of children and youth in care is good, but it is unhelpful if required services cannot be accessed due to lack of providers, long wait times, or gaps in health coverage. In the past too many families, in desperation and as a last resort, have turned to the child welfare system or the courts to access mental health care for their children. We must provide these families with better options. Service navigation is helpful only when services are plentiful; it does not meaningfully address these same issues. Setting aside funding for child welfare agencies to hire specialized staff is useful, but without direction and enforcement on the mental health system to fix these barriers, these funds ultimately will not be able to solve the underlying lack of access to services. Public child welfare agencies do not typically provide mental health services, but rather rely on community-based service providers that are supported by the mental health agency and state Medicaid program; requiring child welfare agencies to provide mental health services to youth in foster care when they do not exist in that community sets the agency and the youth up to fail.

In addition to the current bills that have been introduced, we would propose that the committee consider creating a program similar to the Regional Partnership Grants (RPGs) to address the lack of access to mental health services. The strength of the RPG program is that it requires the local substance use entities to participate fully in the planning and implementation, with some accountability to the Substance Abuse and Mental Health Services Administration (SAMHSA) alongside the Children’s Bureau. We recommend the creation of a competitive grant program (with new funding) that would require SAMHSA and Medicaid to participate with child welfare agencies in the effort to address the mental health concerns of children and older youth in foster

² “American Academy of Pediatrics. (2021, October). AAP, AACAP, CHA declare national emergency in children’s mental health. Author. <https://publications.aap.org/aapnews/news/17718/AAP-AACAP-CHA-declare-national-emergency-in?autologincheck=redirected>

³ American Academy of Pediatrics. (2021, July). Mental and behavioral health needs of children in foster care. Author. <https://www.aap.org/en/patient-care/foster-care/mental-and-behavioral-health-needs-of-children-in-foster-care/>

⁴ Children’s Bureau and Child Welfare Information Gateway. (2023). National Foster Care Month 2023: Key facts and statistics. Author. <https://www.childwelfare.gov/fostercaremonth/awareness/facts/>

care and would coordinate care continuity after exit from care.

Education

The improvements made to the Chafee Foster Care Independence Program over the past 25 years help states provide services to young people as they age out of foster care. The program helps children who are eligible make the transition to self-sufficiency through such services as assistance in earning a high school diploma, support in career exploration, vocational training, job placement and retention, and training in daily living skills. In addition to the Medicaid coverage, the program allows up to 30% of funds to be used for room and board.

In 2001, Congress authorized an additional \$60 million in discretionary funds for education and training vouchers for youth eligible for the Foster Care Independence Program and youth adopted from foster care after age 16. The Education and Training Vouchers (ETV) program provides assistance of up to \$5,000 per year for the cost of attending an institution of higher education for youth who age out of foster care or are adopted after age 16. Funding for this program has never reached the authorized amount of \$60 million with funding set at \$44 million in 2023.

It is imperative that Congress support pathways to training and higher education for older youth in foster care, as these supports will help youth to attain gainful employment and stability after they exit foster care. As Mr. Lloyd explained, eligibility for Chafee services has expanded but funding has not been increased to match the need. We ask the Committee to consider increasing authorized funding levels for the Chafee Foster Care to Independence Program and the ETVs, and we ask leadership and members to use their influence with Appropriators to secure additional discretionary funding in the FY 2025 appropriations legislation.

To this end, CWLA has also endorsed H.R. 5562, the *Fostering Success in Higher Education Act*, introduced by Subcommittee Ranking Member Danny K. Davis (D-IL), Representative Raja Krishnamoorthi (D-IL), and Senator Bob Casey (D-PA), to improve college access, retention, and graduation rates for foster and homeless youth. Although outside this subcommittee's jurisdiction, we would ask Committee Members also on the House Committee on Education and the Workforce to support this bill's passage.

Driving Support

Both Mr. Otero and Ms. Behr highlighted the barriers that lack of transportation creates for youth exiting foster care to independence. Transportation can be a significant barrier for youth in foster care, particularly in suburban and rural areas where public transportation options are limited or nonexistent. Possessing a driver's license allows young people to gain employment, pursue

education opportunities, and gain independence and success. The costs associated with acquiring a license, insurance, and a vehicle can be particularly burdensome for youth in foster care and youth who have recently exited foster care.

CWLA has endorsed H.R. 1446, the bipartisan *Foster Youth and Driving Act*, which would provide older youth in care with driving assistance and support. This bill should be included in a Title IV-B reauthorization package.

Caregiver Stability

Mr. Lloyd highlighted the need to promote stability for older youth in foster care, who are more likely to have multiple foster care placements and are more likely to reside in a congregate care setting during their stay in foster care. It is essential that we further support kinship caregivers and kin-finding programs and initiatives, as kinship care should be the first option when a child or youth must be separated into out-of-home care. Title IV-B reauthorization offers opportunities to better support workers in prioritizing kinship care and to better support kinship caregivers who are taking care of children in their homes.

It is also necessary for child welfare agencies to recruit and retain high-quality foster parents for older youth in foster care who cannot be placed with kin. The NYDT report noted that family foster home placements and fewer total foster placements showed more positive results in every outcome category. Fewer foster care placements and placement with families were associated with having more employment-related skills and achieving a high school degree.

However, there is a growing shortage of foster families across the nation, made worse by the COVID-19 pandemic. Anecdotally, we have heard that states are losing up to 50% of their licensed foster parents, citing the lack of support for foster families, the rising cost of providing care for children, workforce issues at the child welfare agencies, and the higher levels of need for and lack of access to mental and behavioral health support for children in care.

There are opportunities in both Titles IV-B and IV-E to increase supports for foster parents, and we applaud the Subcommittee on the House passage of the *Recruiting Families with Data Act*, an important bill to better understand what is needed to recruit and retain foster families. We encourage the subcommittee to introduce and pass legislation guaranteeing core supports for foster parents that are reimbursable through Title IV-E funds. We echo here our comments on improving mental health supports for children and youth from above; incentivizing state child welfare, mental health, and Medicaid agencies to work together to address the mental and behavioral health needs of youth in foster care will also result in additional resources and support being made available for foster parents who are struggling to meet the needs of the children and youth in their care.

Recognizing the lack of existing data and information about foster parents, CWLA partnered with the National Foster Parent Association to conduct a survey of current and former foster parents to better understand their needs and experiences. We found that for most foster parents, the maintenance payments are not enough to cover the cost of caring for a child. We also ask the Subcommittee to consider additional financial compensation for foster parents through Title IV-E foster care maintenance payments and through a Foster Care Tax Credit for families providing care on a short-term basis. There is also a need to address rising costs of housing, food, child care, and health care for foster children and families.

Workforce Concerns

Mr. Lloyd's answers to Committee members' questions highlighted the need for stability for older youth in foster care, which includes caseworker stability. Supporting the workforce is a key component of achieving better outcomes for children and youth: a Government Accountability Office (GAO) analysis of 27 available Child and Family Services Reviews (CFSRs) in 2003 showed that staff shortages, high caseloads, and worker turnover were factors impeding progress toward the achievement of federal safety and permanency outcomes.⁵ The report noted that staffing shortages and high caseloads disrupt case management by limiting their ability to establish and maintain relationships with children and families. Research in Milwaukee and Illinois suggests that children are more likely to achieve permanency if they are assigned fewer workers over the course of their stay in foster care.⁶

A well-trained and well-staffed child welfare workforce is vital to supporting older youth in care, so it is imperative that Congress support states in recruiting and retaining qualified caseworkers with expertise in serving older youth. In past hearings, your members have heard testimony from youth formerly in foster care (lived experience) who have recounted instances whereby their lives and trajectory have been helped by a key caseworker with whom they had an ongoing relationship – we must support these relationships however we can.

Title IV-B reauthorization offers an opportunity to address the workforce crisis. CWLA recommends the following investments and policy changes:

1. Increase funding for workforce development and training. There is \$20M designated for workforce development in Title IV-B, dependent on caseworkers visiting families monthly. Increase this set aside to \$60M.

⁵ HHS Could Play a Greater Role in Helping Child Welfare Agencies Recruit and Retain Staff. Government Accountability Office. March 2003. Retrieved from <https://www.gao.gov/assets/gao-03-357.pdf>

⁶ The Impact of Turnover on Families Involved in Child Welfare. National Child Welfare Workforce Institute. 2023. Retrieved from <https://ncwwi.org/wp-content/uploads/2023/02/The-Impact-of-Turnover-on-Families-Involved-in-Child-Welfare.pdf>

2. Promote recruitment and retention. There are several promising practices that are helping agencies address these key issues, and Congress create new competitive or formula grants in Title IV-B of the Social Security Act with additional funding for states to address both recruitment and retention.
3. Increase funding for prevention and family preservation. Programs and funding that focus on preventing child abuse and neglect before it happens and keeping children safely in their homes help to reduce the number of children entering the child welfare system. Congress should increase the availability of funding in PSSF to reduce caseloads for workers by keeping families together.
4. Compile and disseminate best practices. Congress should create taskforces or direct existing entities to compile and disseminate best practices on nationwide issues, such as creating psychological safety and wellness for staff, racial disparities in child welfare and promoting a diverse workforce and reducing barriers to social work licensure.⁷

Conclusion

We wish to again thank Chairman LaHood and Ranking Member Davis for hosting this hearing, for convening an excellent panel of expert witnesses, and for their attention to and support of the children and families involved with the child welfare system. We stand ready and eager to work with the Subcommittee in ensuring that federal child welfare programs serve our nation's families, youth and children well.

⁷ Transform Child Welfare through Support for the Workforce. Child Welfare League of America. Retrieved from: https://www.cwla.org/wp-content/uploads/2023/11/CWLA_PolicyBrief_WorkforceR3.pdf