



May 22, 2025

The Honorable Robyn Kennedy  
Senate Chair, Joint Committee on Children Families and Persons with Disabilities  
State House Room 312-D  
Boston, MA 02133

The Honorable Jay Livingstone  
House Chair, Joint Committee on Children Families and Persons with Disabilities  
State House Room 146  
Boston, MA 02133

**Re: H.227/S.105, *An Act Protecting Benefits Owed to Foster Children***

Dear Chair Kennedy and Chair Livingstone,

Thank you for the opportunity to provide testimony in support of H.227/S.105, *An Act Protecting Benefits Owed to Foster Children* on behalf of HopeWell staff and the over 1,500 individuals, children, and families we support annually. This bill is critical to promoting equity and fairness for children experiencing foster care and improving outcomes for youth who age out of our child welfare system. Passing this bill is paramount to protecting vulnerable children and youth's social security benefits from the uncertainty and unpredictability of our fiscal future.

**Overview of the current context:**

As you know, up until January of 2024 the Department of Children and Families (DCF) routinely conducted case file "mining" to identify children in their care who were entitled to Social Security benefits and then applied to the Social Security Administration to become that child's representative payee (most often without the child or family's knowledge). Once appointed as the child's financial representative, DCF took up to 90% of the child's benefits and re-directed it to the state's general fund. Conservative estimates showed that in 2023, as many as 1,250 children experiencing foster care were eligible to receive social security benefits – either due to their own disability or the death of a parent – and had their benefits taken by DCF as a result of this harmful practice. Thanks to pressure from the legislature and the provider community, DCF announced in January 2024 that they would discontinue their



practice of mining for and siphoning Social Security benefits from children in their care. They also announced they would begin setting up specific accounts (in many instances A.B.L.E. accounts) to allow children and youth to conserve their benefits without running into challenges related to asset limits. We are immensely grateful for your collaboration and leadership in pushing DCF to make these critical changes

**With all these positive changes, why is passing this bill still so important?**

*1. Codifying changes into law:*

While the work DCF has done to shift their internal practices to ensure children and youth have access to their full benefits is a commendable step in the right direction, we believe it is paramount that these positive changes are codified into law via the passage of this bill. As was discussed in our oral testimony at the hearing on this bill, DCF's practice of taking benefits away from children and youth in their care didn't always exist. This practice was born out of the 2008 financial crisis, when all state agencies were left scrambling to find adequate resources to fund their programs and services. Today, with the seemingly unending instability in Washington and uncertainty of how this will impact our state, we stand on the precipice of another potential economic downturn that may result in difficult choices needing to be made. Passing this bill will ensure that no matter what happens in the coming months or years, the state will never again take benefits away from children and youth experiencing foster care in an effort to balance the state budget. These benefits are designed to support vulnerable children and youth, providing them with a financial safety net as they navigate the incredibly difficult realities of foster care and beyond. Ensuring that children and youth retain full access to benefits they are entitled to is critical, no matter how gloomy the state financial picture is.

*2. Provisions on additional resources/practices DCF is not already engaged in:*

Another reason the passage of this bill is critical is that it includes important provisions codifying numerous best-practices DCF is currently not engaged in. These include:

- Providing access to financial literacy resources and tools for eligible youth and the relevant adults in their lives, to support them in better understanding and maximizing the use of their benefits.
- Automatically screening all children who enter care for benefit eligibility within 60 days of the child entering DCF custody and ensuring every eligible child is connected to the benefits they are owed by the Social Security Administration.



- Ensuring appropriate savings accounts (including A.B.L.E. accounts) are set up so **all** eligible children and youth can have their unused funds conserved without jeopardizing continued access to benefits or interfering with federal asset limits.
- Maintaining detailed accounting of each child's benefits and making this information available to the child's counsel upon request.
- Enhancing communication practices around information sharing. Specifically, mandated notification of the legal counsel for the child and their parent/guardian when specific events occur, including: if DCF applies for benefits on behalf of the child, if DCF submits a request to become the child's representative payee, when notices about benefits are shared with DCF (benefits application has been accepted or denied, or if benefits were reduced or terminated), among other key events.
- Promoting consistent data collection and annual reporting to the legislature on the implementation of this bill, namely: the number of children and youth in DCF care, the number of children and youth receiving benefits for whom DCF is the representative payee, the amount of benefits being conserved by DCF, and the number and type of accounts DCF has set up to support the conservation of children's benefits.

Taken together, these important provisions promote accountability and transparency and ensure that children and youth who are eligible to receive social security benefits have the supports, resources, and tools to make full use of those benefits to support their wellbeing.

While we are grateful to DCF for beginning the work of ensuring access to benefits for all eligible children and youth in their care, that work is not enough. We need your leadership to pass this critical bill and ensure all children and youth who interact with the child welfare system in future years have access not only to their full benefits, but to DCF practices that promote accountability, communication and transparency, and that provide them with the resources they need to successfully manage and utilize their benefits to their fullest extent. We have numerous youth in our programs who have or are on the verge of aging out of DCF care without an appropriate financial safety net. For these youth, having access to the provisions outlined in this bill would have been life changing. Let's work together to make sure that in the years to come all eligible youth experience a system that centers their financial wellbeing, enables them to access and conserve the benefits to which they are entitled, and ensures that they have the financial safety net they need when they exit care. Passing this bill can make this happen.



Thank you for your leadership on this issue. Please do not hesitate to be in touch with any questions.

In partnership,

A handwritten signature in black ink, appearing to read 'Julie Segovia', is positioned above the printed name.

Julie Segovia  
Vice President of Research, Policy, and Learning  
HopeWell, Inc.

CC: Senator Joanne Comerford  
Representative Tricia Farley-Bouvier