



SENATOR
MARIA ELENA DURAZO
LEGISLATIVE FACTSHEET

in Extended Foster Care

SB 1300 (Durazo)

Summary

Recognizing the importance of Supplemental Security Income (SSI) to young people with disabilities, as well as the technical barriers to establishing and maintaining SSI eligibility for youth in care, this bill secures existing supports to link youth in foster care with SSI, and maintain SSI eligibility for SSI for youth in extended foster care.

Background

There is a high incidence of disability among youth in foster care compared to their peers outside of the foster care system. Although California's foster care system provides a spectrum of disability-related supports to youth in care, young adults with disabilities are at a significant risk of exiting extended foster care at age 21 without the education, employment, and financial resources necessary to live independently.

The federal Social Security Administration's (SSA) SSI program provides monthly financial assistance and pathways to housing and employment that can continue through adulthood, but it can be difficult for young people to establish and maintain eligibility for SSI. The initial application, appeals, and redetermination processes require significant information gathering and reporting, and once eligibility is established the complexities of SSI and AFDC-FC funding must be thoughtfully and timely managed. Without support in navigating SSI, young adults with disabilities frequently leave care without this vital and life-long resource.

Problem

Young adults with disabilities in extended foster care frequently exit care without a linkage to SSI, a federal program of the SSA that provides monthly

financial assistance, health insurance, and pathways to supported employment and housing. Although state law requires child welfare and juvenile probation departments to screen and apply for SSI on behalf of youth in care when they are approaching age 18, the law has not been updated to reflect the large numbers of nonminor dependents who remain in care until age 21 and need ongoing support to establish and maintain SSI linkages while in extended foster care.

Solution

SB 1300 would:

- Extend county SSI screening and application duties to nonminor dependents;
- Require that counties provide robust support to nonminor dependents in establishing disability as an adult if they received SSI as a child prior to turning 18;
- Clarify that existing county duties to provide information about SSI age-18 redeterminations and representative payees begin at least six months before a youth in foster care turns 18 and apply to all placing agencies, including juvenile probation departments;
- Further clarify a nonminor dependent's right under federal law to select a representative payee and to receive county guidance on SSI reporting and offsetting rules if the nonminor dependent selects a payee that is not the county; and
- Clarify that placing agencies may contract with legal services organizations for SSI advocacy.

Support

Alliance for Children's Rights (Co-sponsor)

Youth Law Center (Co-sponsor)

Contact

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