

# SSI & Youth “Aging Out” of Foster Care:

*Recently Passed Legislation Requires Counties to Screen Youth & Apply for SSI*

## *Frequently Asked Question about Assembly Bill 1331*

### ***What policy change recently happened?***

On October 11, 2007 Governor Schwarzenegger signed Assembly Bill 1331, which will create a safety net for severely physically and mentally disabled foster youth who are exiting the state’s foster care system. The new law, AB 1331, is designed to ensure that foster youth with serious mental or physical disabilities who are potentially eligible for federal Supplemental Security Income (SSI) benefits have applications submitted on their behalf well in advance of their exit from foster care.

### ***What is Supplemental Security Income?***

SSI is a federal benefit that provides a monthly income to individuals with physical or mental disabilities and entitles them to additional supportive services. In addition, individuals who are eligible for SSI benefits also receive Medi-Cal, which provides health coverage.

### ***Who will benefit from AB 1331, recently passed by the California legislature?***

Foster youth with serious mental or physical disabilities who are transitioning out of foster care will benefit from the legislation. The goal of the bill is to ensure that these youth make a safe and supported transition from foster care by ensuring that federal SSI benefits are in place prior to their emancipation from foster care, providing the youth with a source of income and other supports to aid in their transition.

### ***What does AB 1331 require of counties?***

AB 1331 requires all California counties to:

- Screen all youth who are in foster care and are between the ages of 16.5 and 17.5 years of age for a physical or mental disability.
- Submit an SSI application on behalf of those youth who are determined likely eligible for benefits.

### ***Beyond making an application for SSI benefits on behalf of youth likely eligible, are there any requirements that will assist youth in maintaining their SSI eligibility as they transition out of foster care?***

In 2005, California passed legislation, AB 1633, that requires counties to take certain actions on behalf of foster youth who are receiving SSI prior to their emancipation out of foster care with the goal of ensuring that these youth maintain their eligibility for SSI benefits and that they understand what SSI benefits are for, why SSI is important, and what they must do to keep their SSI benefits. Specifically, counties are required to:

- Provide information to the youth regarding the federal requirement that the youth establish continuing disability as an adult;
- Provide information to the youth regarding the process for becoming his or her own payee, or designating an appropriate representative payee;
- Assist the youth, as appropriate, in both of the above requirements.

See All County Letter 07-09, available at: <http://www.dss.cahwnet.gov/getinfo/acl07/pdf/07-09.pdf>

***When will AB 1331 take effect?***

AB 1331 takes effect January 1, 2008.

***Is there any guidance available to counties to aid them in understanding SSI and the application process?***

In February 2007, the California Department of Social Services released Best Practice Guidelines for use by counties which provide a viable process to identify disabled youth and establish their eligibility for SSI. The Best Practices Guidelines were created by a statewide workgroup consisting of county social and eligibility workers, county program managers, representatives of the County Welfare Directors' Association (CWDA), child advocates, current and former foster youth, and State staff and represent. They are available at: <http://www.dss.cahwnet.gov/getinfo/ac107/pdf/07-10.pdf>.

***Why was AB 1331 necessary?***

- Each year in California, over 4,000 youth “age out” of the foster care system when they turn 18 and are no longer eligible for foster care. According to studies of California’s former foster youth, 65% emancipate without a place to live, less than 3% go to college and 51% are unemployed.
- Particularly vulnerable are the estimated 15% of foster youth with a serious physical or mental disability. These young people exit foster care with the same housing, employment and educational challenges as all youth in foster care and must also contend with the challenges of a managing a mental or physical disability with virtually no assistance.
- Despite their potential eligibility for federally-funded Supplemental Security Income (SSI), most youth with a disability do not have this vital economic assistance in place upon emancipation because, until now, there has been now one to assist youth with the applications and there has been a lack of consistent protocols for screening youth and submitting applications.
- Youth with disabilities who exit foster care without SSI in place are denied the many advantages that it provides recipients, such as a monthly income, access to subsidized housing, vocational training and expanded access to health services.

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