

Governor Signs Historic Legislation for Disabled Youth in Foster Care

Sacramento, CA: Governor Arnold Schwarzenegger signed historic legislation on October 11, 2007 that leads the nation in ensuring that disabled youth in foster care receive the necessary assistance when they exit the State's foster care system

The legislation, Assembly Bill 1331, authored by Assemblymember Noreen Evans (D-Santa Rosa), creates a safety net for severely physically and mentally disabled foster youth by requiring county child welfare agencies to screen all youth in foster care at age 16.5 for a mental or physical disability and apply for Supplemental Security Income (SSI) on behalf of those who are likely to qualify. SSI is a federal program that provides a monthly cash benefit to low-income, seriously disabled individuals.

Prior to passage of AB 1331, youth with disabilities as serious as mental retardation, paraplegia and schizophrenia commonly "aged out" of California's foster care system without a place to live or a source of income. AB 1331 will ensure that seriously disabled youth in each of the State's 58 counties exit foster care with the vital support of SSI, along with the supportive services SSI entitles them to, such as affordable housing and rehabilitative services.

In passing AB 1331, California is the first state in the nation to develop a solution to the barriers preventing youth in foster care from exiting foster with SSI in hand. Congressman Pete Stark (D-California) has introduced federal legislation that may bring California's solution to the rest of the nation.

According to Staff Attorney Angie Schwartz of the Public Interest Law Project in Oakland, up to 15% of youth in California's foster care system suffer from a serious physical or mental disability, and yet the vast majority of these youth are exiting foster care without SSI. "Without financial and other supports in place, these youth will likely become homeless or incarcerated, beginning a chronic cycle of poverty. We can stop this cycle by ensuring that youth emancipate with the critical support of SSI."

According to Attorney Laura Streimer, of Los Angeles-based Alliance for Children's Right, the issue is a lack of knowledge about the SSI program. "Unfortunately, eligible foster youth exit care without this necessary benefit in place because county agencies have been poorly informed about the SSI program or the application process itself," says Streimer, whose organization, together with the Public Interest Law Project, California Child Welfare Director's Association and the John Burton Foundation were co-sponsors of the legislation. "AB1331 will play a critical role in overcoming these barriers."

The issue of youth "aging out" of foster care is a growing one, and particularly serious for youth with serious physical and mental disabilities. According to the Washington D.C.-based Kids Are Waiting Campaign, the number of youth aging out of care nationally is at an all time high. Data from the UC Berkeley Center for Social Services

Research indicates that California is matching that trend, with a 40% increase in the number of youth who age out of foster care annually between 1998 and 2006.

County child welfare agencies are noticing the growth and regard access to SSI as a vital resource to ensure disabled youth make a successful transition.

“County child welfare agencies recognize of importance of ensuring that youth with disabilities receive the best care possible,” said Frank Mecca, Executive Director of the California Child Welfare Director’s Association, located in Sacramento. “We’ve been glad to create new guidelines that help counties do a good job of identifying those who may be eligible for SSI benefits and are happy to co-sponsor legislation that makes California a leader in helping youth leave foster care with these benefits in place.”

AB 1331 will go into effect on January 1, 2008, and many expect that the policy will be a net financial savings for the State of California. A study from the University of Pennsylvania’s Center for Mental Health Policy and Services Research found that homelessness among mentally ill people costs an average of \$40,500 in publicly-funded services every year.

“We have got to do more for these children,” said John Burton, former President Pro Tem of the California State Senate and founder of the John Burton Foundation for Children without Homes. “We wouldn’t begin to treat our own children this way. The State of California is the parent for children and youth in foster care and with AB 1331, we can begin to live up to that serious responsibility.”