



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

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Aimee Jolley
Center for the Rights of Abused Children
aimee@thecenterforchildren.org
(602) 689-4052

Arizona Governor Katie Hobbs signs first comprehensive state law in the nation to protect foster children's federal social security, disability, and veteran survivor benefits

Phoenix, Ariz. - Today, Arizona Governor Katie Hobbs put a stop to the Department of Child Safety's practice of taking foster children's federal social security, disability, or veteran survivor benefits. With the Governor's signature, House Bill 2559 becomes law. The bill, sponsored by Representative Steve Montenegro, along with a companion bill sponsored by Senator Justine Wadsack, guarantees DCS will properly steward and save these funds for the children.

An estimated [10-20%](#) of children in foster care qualify for federal social security, disability, or veteran survivor benefits. Prior to this change, DCS took [approximately \\$6 million in federal benefits](#) from kids in foster care each year and used those "monies to defray the cost of care and services expended by the department."

DCS will continue to screen for eligibility and apply for federal benefits on behalf of children in its care. However, DCS is now required to collaborate with the child and the child's attorney to find a fiduciary to manage the funds until the child turns 18. If DCS is acting as the fiduciary, it requires them to conserve the child's benefits in a savings or trust account while still permitting DCS to spend the funds in the child's best interests when there are costs the agency is not required to meet, such as expenses above the maximum rate for special allowances that cover books, educational expenses, emergency clothing, and special needs. DCS is also required to provide an annual report to increase transparency and accountability.

"Preserving youth benefits is so important to young people who age out of the system without a family to help them transition into life. These funds will help young people pay for housing, transportation, education, and other essential needs that we couldn't fulfill by ourselves. Other states and the federal government need to follow Arizona's lead," said Ian Marx, child welfare advocate and former youth in foster care.

Arizona's policy fix is the most comprehensive state law passed to safeguard the federal benefits to which these children are entitled. To date, only Washington D.C. and the City of Philadelphia have enacted similar policies. Arizona thus leads the way as Massachusetts, Oregon, and Washington state consider similar bills.

"These laws will change lives, especially for youth aging out of foster care without a family," said Darcy Olsen, CEO of the Center for the Rights of Abused Children. "Like any other children, children in foster care will now receive the federal social security, disability, or veteran survivor benefits to which they are entitled."

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About the Center for The Rights of Abused Children: Our mission is to protect children, change laws, and inspire people - to ensure every abused child has a bright future. Join our life-saving work to end violence against children at thecenterforchildren.org

Contact: Aimee Jolley at (602) 689-4052 or aimee@thecenterforchildren.org or Lindsay Hansen at (480) 205-6195 or lindsay@ldhconsulting.net.