



We improve the lives and experiences of Maryland's children and youth by advancing policies and programs that tackle disparities and close equity gaps to ensure that there is an opportunity for all our most vulnerable to thrive.

Testimony before the Judiciary Committee

In SUPPORT of

House Bill 1283- Child in Need of Assistance - Guardianship by Local Department - ABLÉ Accounts

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Thank you for the opportunity to provide testimony on House Bill 1283- Child in Need of Assistance - Guardianship by Local Department - ABLÉ Accounts. Advocates for Children and Youth (ACY) supports this bill.

On December 19, 2014, the President Obama enacted Public Law 113-295 known as the Achieving Better Life Experience (ABLE) Act. This federal law allows individuals with disabilities to open special accounts to save up to \$100,000 without jeopardizing their eligibility for Social Security, Medicaid and other government programs. In 2016, Maryland's General Assembly passed legislation to establish a Maryland ABLÉ Savings Program. Last year, Maryland's General Assembly passed landmark legislation¹ making Maryland the first state in the country to allow older youth to have at least a portion of their federal benefits put into savings account for them to access when they age out of foster care at age 21. ABLÉ accounts are excellent savings vehicles for foster youth's social security and are a safe way to ensure their savings do not jeopardize their eligibility for continued benefits. HB 1283 gives local departments of social services (LDSS) the ability to open ABLÉ accounts for foster youth in their care and custody, which they aren't currently able to do.

ABLE accounts support some of the most vulnerable members of our population as they transition into adulthood. Young people are expected to live independently, continue their education, pursue careers, establish relationships, and participate in their communities. Meeting these goals is only part of the picture for youth with disabilities; additional social, academic, health, and environmental barriers must also be addressed.² For foster youth with disabilities, the barriers to successful outcomes can be nearly insurmountable.³ Youth with disabilities who are aging out of

¹ [SB 291](#)/HB 524 were Enacted under Article II, Section 17(c) of the Maryland Constitution - Chapter 816 as of October 1, 2018.

² Lehman, C., Hewitt, C., Bullis, M., Rinkin, J., & Castellanos, L. (2002). Transition from school to adult life: Empowering youth through community ownership and accountability. *Journal of Child and Family Studies*, 11(1), 127-141.

³ Osgood, D., Foster, E., Flanagan, C., & Ruth, G. (2004). Why focus on transition to adulthood for vulnerable populations? (Research Network Working Paper No. 2). Network on Transitions to Adulthood. Retrieved July 19, 2005 from: <http://www.transad.pop.upenn.edu/downloads/vulnerable.pdf>.

Maryland's foster care system face the sudden loss of their financial support.⁴ These youth are forced to first address basic, critical needs such as housing or medical care that youth in stable situations do not face.

Research has shown that youth with disabilities are disproportionately represented in the child welfare system.⁵ Thirty to forty percent of foster youth have chronic medical problems and twice as many have repeated a grade, changed schools, or enrolled in special education as compared to their peers.⁶ Allowing LDSS to open ABLÉ accounts for these youth would allow them to save a portion of their Social Security benefits while in care to assist with the transition into adulthood.

Additionally, research has found approximately one-third of youth leaving foster care were receiving public cash assistance within two years.⁷ Currently, individuals with disabilities cannot have more than \$2,000 worth of assets before some of their critical benefits are cut off. Establishing ABLÉ accounts will allow these vulnerable youth the opportunity to pay for a variety of expenses, such as medical care, education, community-based supports, employment training, housing, and transportation without jeopardizing their eligibility for Social Security and Medicaid benefits.

Advocates for Children and Youth urges this committee to issue a favorable report on HB 1283 and allow LDSS to open ABLÉ accounts for foster youth so we can uphold our commitment to Maryland's most vulnerable youth.

⁴ Social Security Bulletin, Vol. 73, No. 3, 2013, Youth Transitioning Out of Foster Care: An Evaluation of a Supplemental Security Income Policy Change.

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⁶ Osgood, D., Foster, E., Flanagan, C., & Ruth, G. (2004). Why focus on transition to adulthood for vulnerable populations? (Research Network Working Paper No. 2). Network on Transitions to Adulthood. Retrieved July 19, 2005 from: <http://www.transad.pop.upenn.edu/downloads/vulnerable.pdf>.

⁷ Foster, E. & Gifford, E. (2004, October). Challenges in the transition to adulthood for youth in foster care, juvenile justices, and special education. Network on Transitions to Adulthood Policy Brief, 15.