

Pandemic Support for Foster Youth Still Delayed, Months After Federal Action

BY MEGAN CONN

Over the past year, tens of thousands of young adults in foster care faced a distressing prospect: Once they turned 21, in all but a few states, they would lose the money they counted on for housing and basic living expenses — even as the pandemic slashed entry-level jobs and shuttered college dorms. Finally, just before New Year's, it seemed federal help would soon be on the way.

As part of the December stimulus package, Congress enacted a law providing additional help for young adults currently or recently in foster care during the “COVID-19 public health emergency.” Through this fall, they can remain in their housing placements and receive financial assistance after they turn 21, even if they had previously left the system and now want to return. Congress allocated \$400 million in additional funding for housing, education and direct assistance for current and former foster youth through age 26.

What's more, during the pandemic, states can waive the work and study requirements normally required for young adults ages 18 through 21 who remain in extended foster care.

But as spring approaches, more than two months later, many states have yet to comply with these policies or deliver the promised relief, according to national advocacy organizations and responses to inquiries The Imprint sent to child welfare agencies in nine states.

In Florida, advocates and agencies serving foster youth report that young people continue to be cut off benefits at age 21, or even earlier. In late February, a spokesperson for the Pennsylvania Department of Human Services said the state was “currently working on a plan to implement” the provisions of the new federal law. And after weeks of planning, it wasn't until March 5 that the Minnesota Human Services Commissioner issued an order to prevent youth from “aging out” of foster care during the pandemic.

The numbers are difficult to determine, but there are likely thousands of young people who have been cast off lifeline assistance during the pandemic. In 2019, more than 20,000 foster youth aged out of the system, according to federal data.

Meanwhile, there are early signs the delayed assistance is leaving young people raised by the government in terrifying circumstances.

In Missouri, a young man who is unable to care for himself due to severe autism was headed for a homeless shelter in Kansas City, days before his 21st birthday, because the child welfare agency would no longer pay for him to stay in his group home of four years.

Following coverage by local media, advocacy by state representatives, and a lawsuit filed by the Missouri ACLU, he was ultimately granted a reprieve in a last-minute court hearing. But other foster youth without a similar spotlight are continuing to “age out” of the system with no support.

“What this hasn't fixed is all the kids in Missouri,” said Lori Ross, an advocate for the young man who leads Foster Adopt Connect, a nonprofit supporting children and families. “There are some number of young people that have aged out since last March and will age out through the end of September who should be benefitting from extension of foster care.”

In Florida, a 21-year-old former foster youth was living in a car with his girlfriend and their new baby when he made a desperate call a few weeks ago to Gloria West-Lawson, president of Fostering Hope Florida. The young man had

scraped by on his own for a few years, but when the pandemic hit, he lost first his restaurant job and then the motel room he called home.

West-Lawson brought food, diapers and formula to the family and set them up with a temporary hotel room. But just a few weeks later, they were kicked out after the couple argued in the hotel parking lot.

“It’s a sad situation,” West-Lawson said, “but when people are pushed into poverty and have a small child to take care of, that can push them over the edge.”

In multiple states, child welfare directors said they couldn’t assist foster youth turning 21 until the federal Children’s Bureau released more detailed program instructions, which didn’t arrive until March 10. The additional guidance was drafted weeks earlier, multiple sources said, but its release was delayed while the new administration appointed its new commissioner, Aysha Schomberg, who was named on March 1.

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In the meantime, advocates say too many state and local child welfare agencies are not following the federal law but instead making their own determinations about whether or not 21-year-olds can remain in foster care during the pandemic, and whether they must work or study to receive benefits.

“There are a few states that have taken the necessary actions,” Ross said, “and then there are many, many states — Missouri included — that have said, ‘Sounds like a good idea, but we don’t know how to make it happen.’”

In an informal poll given during a Feb. 17 webinar hosted by FosterClub and the Juvenile Law Center, 41% of respondents said their state needed more detailed federal guidance to pause “aging out” during the pandemic, and to broaden assistance for young adults with no family support to rely on. But legal experts attending the virtual meeting emphasized that the legislation directed states to begin providing help months ago — and that unnecessary delays are making vulnerable young people’s lives all the more precarious.

Julie McCormick, senior policy attorney at the Children’s Law Center of California said states should “immediately” place a moratorium on all 21-year-olds aging out of foster care. “This law went into effect on Dec. 27, 2020, and the sooner they begin implementing this, the less likely we are to have our youth slip through the cracks.”

Some states had taken action even before the federal legislation: Last spring, California quickly put a **pause** on aging out during the pandemic, and by summer, New York **directed** social service agencies to maintain placements and services for young people who would otherwise become homeless.

Since Congress allocated the recent stimulus funds, Virginia launched a social media **campaign** to alert young people that they may be eligible for expanded financial assistance and to gather their contact information. Texas and Ohio have instructed caseworkers and independent living coordinators to advise youth that they can remain in or re-enter foster care until they turn 22.

The new law that called for states to halt aging out included significant financial assistance. The federal matching program that about half of states rely on to pay for extended foster care can be used for youth over age 21 through September. States can also use their portion of a \$400 million addition to the Chafee Foster Care Independent Living program to help pay for the costs of extending services.

“Chafee funds have been around for years, so we don’t need to hire a think tank to figure it out or complicate what’s already done,” said Lisa Dickson, a spokesperson for ACTION Ohio, an advocacy group composed of current and former foster youth. “The money is pandemic relief and should go directly to youth based on how Chafee has always worked.”

But advocates say many states have yet to begin notifying former foster youth up to age 26 that they are eligible for additional Chafee funding, which can also be used for cell phones, laptops and even driving lessons.

“The fact that the child welfare system is unable to contact its constituency once they’ve aged out is a flaw in the system — and what a ridiculously solvable problem,” said Celeste Bodner, the executive director of FosterClub, a national advocacy network led by foster youth. “The states that are having trouble pivoting to meet the needs of young people in a crisis might need to re-examine the system itself.”

Meanwhile, times could not be harder for young adults who came of age in government care, those with no family homes to return to in perhaps the most unforgiving job and housing market in a generation.

“The urgency of the law is so acute and the need for it is so great,” said Jenny Pokempner, a senior attorney at the Juvenile Law Center. “The expectation on states should be that law is in place, we know the intent of the law, and our job right now is to figure out how to make it work.”

With troubling delays in assistance mounting, some lawmakers are launching last-ditch efforts to push for quicker relief through their statehouses. Last week, a Missouri state representative introduced a bill that would allow foster youth to remain in care beyond age 21, borrowing the language from the December federal stimulus bill almost word for word. The Arizona state Legislature is hearing a bill that would smooth the path for former foster youth to opt back into extended foster care if they had earlier chosen to leave, another provision lifted directly from federal legislation already in effect.

States’ inaction in the meantime leaves a limited window to reach the most vulnerable youth: The expanded eligibility for extended foster care and Chafee funding expires at the end of September.

“They need to extend past the fall timelines,” said Amanda Metivier, a former foster youth and current foster parent in Alaska. “We need to see if colleges go back to in-person, if businesses open and start hiring, if housing accepts vouchers — I feel like we need another year for youth to prepare.”

This story was updated on March 10.

ABOUT THE AUTHOR

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