



# FAMILY ADVOCACY OF MAINE

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## **Testimony of Julian Richter, in partial support of LD 2078: An Act to Increase Participation by the Department of Health and Human Services Regarding Federal Benefits for Which Children in the Custody of the Department Are Eligible**

**Joint Standing Committee on Health and Human Services  
Wednesday January 31, 2024**

Senator Baldacci, Representative Meyer, and distinguished members of the Health and Human Services Committee, I am offering testimony in partial support of LD 2078, **“An Act to Increase Participation by the Department of Health and Human Services Regarding Federal Benefits for Which Children in the Custody of the Department Are Eligible.”**

I want to thank the sponsors of this bill for demonstrating actual care for the long-term outcomes of children who have been removed from their natural families and placed in the custody of the Department of Health and Human Services. Across the country, and across this state, far too many children are removed from families and the natural support systems that they are born into. Many of these children are already receiving benefits from the federal government, such as social security survivor benefits or social security disability benefits.

Maine, like other states, becomes the custodial beneficiary of those benefits when children enter foster care. Rather than preserving that money for the benefit of the children whom they are intended for, states are often collecting that money and keeping it as reimbursement for the costs of foster care.

According to national studies, 30% of foster children across this country will become homeless after they “age-out” of the system.<sup>1</sup> Additionally, longitudinal studies have shown poorer long-term outcomes in nearly every dimension of life for foster children than had they stayed with their families (even when controlled for the abuse and neglect the Department is ostensibly protecting them from.)<sup>2</sup>

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<sup>1</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5644395/>

<sup>2</sup> Joseph J. Doyle, Jr., *Child Protection and Child Outcomes: Measuring the Effects of Foster Care*, 97 AM. ECON. REV. 1583, 1599 (2007).

Over the past several years, the Marshall Project, along with National Public Radio have produced a series of reports about this issue.<sup>3</sup> Through the course of my work with families, I have asked many caseworkers, supervisors, as well as the head of the Office of Child and Family Services where the money goes. Unfortunately, I have never received any satisfactory answers on what Maine is doing with the benefits they collect from children in their care. Based on the lack of ability for anyone at the Department of Health and Human Services to answer my question, I do not believe any of it is ever returned to the children themselves.

If this practice is occurring in Maine, it is truly reprehensible and morally wrong.

There are pieces of this bill that I agree with, and others I would take no position on. What I do believe is that there needs to be legislation that prevents the Department of Health and Human Services from ever taking any money on behalf of children, without a mechanism to preserve that money for the child themselves when they are out of foster care.

**Contact Information**

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<sup>3</sup> <https://www.themarshallproject.org/2021/04/22/foster-care-agencies-take-thousands-of-dollars-owed-to-kids-most-children-have-no-idea>  
<https://www.npr.org/2021/04/22/988806806/state-foster-care-agencies-take-millions-of-dollars-owed-to-children-in-their-ca>  
<https://www.npr.org/2023/09/12/1197610205/foster-care-social-security-benefits>  
<https://www.npr.org/2022/07/22/1112705301/decades-after-foster-care-she-learned-she-was-owed-benefits-where-did-the-money->