



Children's Advocacy Institute

March 10, 2026

Support for House Bill 768

Good afternoon Chair Barnes and Committee,

My name is Amy Harfeld and I serve as the National Policy Director for the Children's Advocacy Institute (CAI) at the University of San Diego School of Law. I am writing in support of HB 7688 which would protect assets of and improve outcomes for foster youth receiving federal benefits. For decades, CAI has led a multifaceted campaign to ensure that foster youth who are eligible for federal benefits such as Social Security Survivor's or Disability are promptly secured, and used or conserved according to federal law and always in the child's best interests. Over the last several years, we have helped advocates, legislators, and youth advance legislative and policy reforms from across 37 states, in the courts, through trainings, rule changes, and education.

Maryland blazed the trail in 2018 as the first state to establish partial protections of foster youths' federal benefits. Currently, however, Maryland is falling behind as states across the country and across the political divide move swiftly to end this practice in full. To date, ten states and jurisdictions – [Arizona](#), [Kansas](#), [Massachusetts](#), [Missouri](#), [Nevada](#), [New Jersey](#), [New Mexico](#), [Ohio](#), [Oregon](#), and [Washington D.C.](#) – have followed suit with even stronger protections. These states are currently protecting all benefits, for all kids, at all ages.

This is now a bipartisan issue, with red, blue, and purple states lining up to do right and recognize that these funds belong to the children – not to the state. Maryland must convey a clear and consistent message that the practice of taking foster youth's benefits – in any amount – is antithetical to the best interests of the children in their care. This issue is now squarely in the national spotlight, with support spanning the political spectrum. Progressives have framed this as a violation of these children's civil rights, fiscal conservatives such as [The Federalist Society](#) have deemed this fiscal overreach, the [America First Policy Institute](#), has eviscerated the practice as waste fraud and abuse. The newly appointed Assistant Secretary at ACF Alex Adams has called directly for states and Governors to take action to preserve these benefits. [Administration for Children](#)

Children's Advocacy Institute

University of San Diego School of Law | 5998 Alcalá Park, San Diego, CA 92110-2492
P: (619) 260-4806 | F: (619) 260-4753 | www.caichildlaw.org | info@caichildlaw.org
Sacramento Office: (916) 844-5646 | Washington, D.C. Office: (917) 371-5191

[and Families](#), that called directly upon states to take immediate action to protect the benefits of vulnerable foster youth. Each entity emphasizes the moral and ethical imperative to end this practice, recognizing it as an unconscionable breach of states' fiduciary responsibilities.

Importantly, many states have already successfully navigated this transition, finding a variety of ways to fund these reforms and developing practical resources that are readily available to support Maryland in doing the same. Arizona, which implemented model legislation in 2023, has provided a [policy framework](#) along with a [webinar](#) outlining the process of reform. These materials offer clear, concrete steps for policy changes, funding mechanisms, and procedural adjustments.

Additionally, concerns about implementation costs should not stand in the way of this necessary reform. HB 768, for example, ties determinations regarding SSI and OASDI eligibility to the agency's already existing obligation under Early and Periodic Screening, Diagnostic and Treatment (EPSDT) to screen foster youth. Other states have included provisions that affirmatively require the department to use IV-E funds for its *implementation* of the bill to ensure that the state will actively use IV-E for the bill's costs as much as possible. And as Chapin Hall notes, many Title IV agencies are unaware that they can claim reimbursement for these and other administrative tasks related to accessing Social Security or Supplemental Security Income and other benefits. Moreover, Title IV-E can be used to support legal representation for children seeking to secure or appeal their benefits. These and other creative solutions have already been successfully leveraged by other states to cover costs while strengthening financial protections for foster youth.

Parents work hard to set their children up for success. When Maryland acts as the legal parent of foster children, it should work towards that same goal. The benefits belong to these youth and this particularly vulnerable subset deserve the biggest safety net we can provide to give them the best chance at self sufficiency and success. I want to express gratitude to Senator Chris West for sponsoring this bill, and the other champions of innovation and justice who helped get this in front of you. Thank you for your consideration of HB 768 and please contact me with any questions.

Amy Harfeld
National Policy Director
Children's Advocacy Institute
University of San Diego School of Law (917-371-5191)