

STAND. COM. REP. NO. 4061

Honolulu, Hawaii

APR 25 2022

RE: H.C.R. No. 117
H.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.C.R. No. 117, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO IMMEDIATELY CEASE INTERCEPTING SOCIAL SECURITY PAYMENTS FOR CHILDREN IN FOSTER CARE,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Department of Human Services to:

- (1) Immediately cease intercepting social security payments for children in foster care; and
- (2) Deposit social security payments for foster children into savings accounts, which the children may access when they return to their families, are adopted, or age out of foster care.

Your Committee received testimony in support of this measure from the Hawaii Family Advocacy Team. Your Committee received comments on this measure from the Department of Human Services.

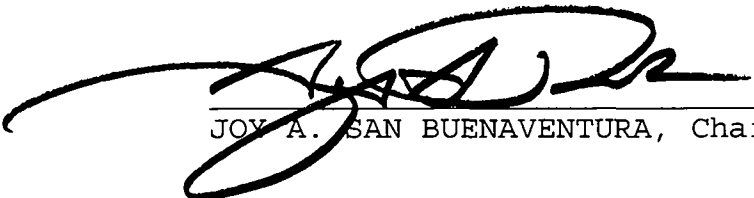
Your Committee finds that children and youth who age out of foster care face many challenges in navigating the transition to independence in adulthood, evidenced by statistics showing that former foster youth are more likely than their peers to become



homeless, incarcerated, or human trafficked. Your Committee also finds that roughly ten percent of foster children in the United States are entitled to social security benefit payments either because their parents have died or because they have a physical or mental disability that would leave them in poverty without financial assistance. Under federal law, these social security payments, which can range from \$700 to \$2,000 a month, are considered the property of the child beneficiary. For child beneficiaries who are minors, the United States Social Security Administration (SSA) generally appoints representative payees to receive and manage the payments on behalf of the child. According to SSA's Representative Payee Order of Preference List for Minor Child Beneficiaries, child welfare service agencies are the least preferred representative payees. However, many state child welfare agencies, including the Hawaii Department of Human Services, apply to become the representative payee of child beneficiaries in foster care and seize their social security payments, often without notifying the child or other persons who are more preferred as the child's representative payee. Your Committee finds that this practice is detrimental to foster children who are social security beneficiaries, as it denies them money that belongs to them and deprives them of the opportunity to accumulate savings that may aid in their transition out of foster care. This measure requests the Department of Human Services to immediately cease this unjust and harmful practice and instead set aside the social security payments into saving accounts for the foster children to access upon their exit from the foster system.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 117, H.D. 1, and recommends its adoption.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,



JOY A. SAN BUENAVENTURA, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* HCR 117, HDI	Committee Referral: HMS	Date: 04/20/2022
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The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
IHARA, Jr., Les (VC)	✓			
ACASIO, Laura	✓			
MISALUCHA, Bennette E.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

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*Only one measure per Record of Votes