



CHILDREN'S ADVOCACY INSTITUTE

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May 5, 2026

Senate Finance Committee

Attn: Senator Louis P. DiPalma

SenateFinance@rilegislature.gov

Re: SB 2841 — Support

Dear Senator DiPalma,

The Children's Advocacy Institute (CAI), based at the University of San Diego School of Law, strongly supports Senate Bill 2841.

For decades, CAI has led a multifaceted campaign to ensure that federal benefits for which some foster youth are eligible – such as Social Security survivor or disability benefits – are not used by state or county agencies to offset the agencies' obligation to pay for the beneficiary's cost of care, but rather used or conserved in a manner that directly serves each beneficiary's best interest. Over the last several years, we have helped advocates, legislators, and youth advance legislative and policy reforms in 39 states through advocacy, litigation, executive orders, and rule changes.

Currently, Rhode Island's law violates foster youth's Constitutional rights from having private property confiscated by a government agency without due process. This illicit practice treats foster youth, literally, as "revenue generating mechanisms" rather than vulnerable wards of the state. Essentially, the practice amounts to an illicit 100% tax on the assets of Rhode Island's orphaned and disabled foster children. Ultimately, the covert taking the benefits of these particularly vulnerable youth is penny wise and pound foolish – contributing to elevated risks of homelessness, multi-generational child welfare involvement, and other undesirable and costly outcomes.

Unfortunately, Rhode Island has fallen behind as many states across the country – and across political divides – have ended 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 enacted protections that safeguard all federal benefits, for all kids, at all ages.

This is now a bipartisan issue, with red, blue, and purple states alike recognizing that these benefits belong to the children – not to states or counties. It is also squarely in the national spotlight, with support for ending this bad policy spanning the political spectrum, including recent support from the Administration through the [Administration for Children and Families](#), which called directly upon states to take immediate action to protect some benefits belonging to vulnerable foster youth. In recent communications, ACF Assistant Secretary Alex Adams told states they would not find him as a "willing partner" on the diversion of social security survivor benefits, vowing to "actively and expeditiously work to curb this abusive practice to ensure vulnerable youth have the resources they need to succeed."

Across the board, support has mounted to end this practice, recognizing it as an unconscionable breach of states' fiduciary responsibilities. Condemnation of this practice has driven ACF to declare it outright theft.

Senate Bill 2841 would put Rhode Island on the right side of this outrageous and harmful practice by ensuring that no federal benefits belonging to eligible foster youth are used to offset the state's obligations under federal law to pay for their care. The bill would also require the establishment of savings or other special accounts for foster youth to conserve benefits; eligibility screening and application; the provision of notice to youth and their attorneys and families regarding when benefits exist, how much is being received, and how the money can be used; and ongoing financial literacy training and support for foster youth.

Concerns about implementation costs should not stand in the way of this necessary reform.

ACF Assistant Secretary Adams, who has focused on Survivor benefits, asserts that this isn't a budget issue, it is a moral one, explaining that he would never have knowingly balanced his budget on the backs of orphans in Idaho. He has referred to the practice as theft and assessed the fiscal impact of these changes on states as budget dust. ACF has now declared that handling benefits this way is categorically contrary to the best interests of children. Adams has also placed Governors and states on notice that in due time, ACF will be coming down on states who have yet to fix this issue.

Chapin Hall noted in its research that many Title IV agencies are unaware that they can claim reimbursement for these and other administrative tasks related to accessing and managing Social Security or Supplemental Security Income and other benefits on behalf of foster children. Moreover, Title IV-E can be used to support legal representation for children seeking to secure or appeal their benefits, or to have a new representative payee appointed who will not misappropriate their money. These and other innovative approaches have been successfully leveraged by other states to cover costs while strengthening financial protections for foster youth.


When Rhode Island acts as the legal parent of foster children, it should set them up for success, not rob them of their futures. Young people aging out of foster care continue to face significantly poorer outcomes than their peers. They are less likely to earn a high school diploma or postsecondary degree and more likely to experience housing instability, unemployment, involvement with the justice system, and reliance on public assistance.

Conserving and protecting children's federal benefits is both transformative for young people and fiscally prudent. Ensuring that youth leave care with the resources intended for them would beneficially impact their transition to adulthood and reduce long-term reliance on public systems. Rhode Island has an opportunity to affirm its commitment to protecting its most vulnerable young people. Comprehensive reform is both sound policy and a powerful statement about the state's commitment to its fosters.

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CAI is grateful to Senator Lauria and Senator DiMario for sponsoring this bill, as well as the other champions of justice who helped get this in front of you. Thank you for your consideration of Senate Bill 2841, and please do not hesitate to contact me with any questions.

Sincerely,



Amy Harfeld, National Policy Director
Children's Advocacy Institute
University of San Diego