



## Virginia Commission on Youth 2023 Legislative Studies and Initiatives

### Improving Foster Care in Virginia

Draft Recommendations	Public Comment
<p><b>Finding 1:</b></p> <p>Supporting a Child Welfare Training Academy would assist local departments in ensuring that their workforce is prepared. This would strengthen Virginia’s ability to provide safe and stable environments for children and families by reducing turnover in the local workforce and extending the time that local departments of social services’ (LDSS) staff remain focused on their mission.</p> <p><u>Recommendation 1:</u> Introduce a budget amendment for the establishment of a centralized training academy model for family services specialists to better prepare staff for the difficult work of social services, increase retention through training and development of new staff, and provide a more structured and consistent foundation training program. The academy should ensure adequate technology to accommodate both in person, virtual, and blended training options.</p>	<p><b>Virginia League of Social Services Executives (VLSSE):</b> Strongly supports recommendation 1. This recommendation “is essential to the growth and development of the workforce responsible for providing foster care services in Virginia and will positively influence outcomes for families and children served.”</p> <p>“Since 2016, VLSSE has, in partnership with the Virginia Department of Social Services (VDSS), researched and provided input into the development of a training academy for new family services specialists. The VCOY study correctly tied the implementation of an academy model as a key factor for improving the recruitment and retention of family services specialists across the Commonwealth.”</p> <p><b>Children’s Home Society of Virginia (CHS):</b> Highly supports the establishment of a centralized training academy model to better train staff to serve Virginia’s children, youth, and families. “Establishing a centralized training academy model will better prepare staff and increase retention, having a direct impact on the quality of services received by vulnerable children and youth in foster care.”</p> <p>“Additionally, it would be beneficial if private providers could partner with the state and access the training academy.”</p>

	<p><b>Virginia Association of Counties (VACo):</b> Supports recommendation 1. “VACo has historically supported additional state assistance in efforts to improve recruitment and retention among child welfare workers.”</p> <p><b>Virginia Association of Licensed Child Placing Agencies (VALCPA):</b> Supports recommendation 1. “The academy should ensure adequate technology to accommodate both in person, virtual, and blended training options. Additionally, VALCPA would recommend that specific training be completed before the staff person starts working with clients. VALCPA would also like to request that LCPAs have access to the training.”</p> <p><b>City of Suffolk:</b> Supports recommendation 1. “The city urges the Commission to support the establishment of a centralized training academy model for family services specialists to better prepare staff for the difficult work of social services, increase retention through training and development of new staff, and provide a more structured and consistent foundation training program.”</p> <p><b>Voices for Virginia’s Children:</b> Supports recommendation 1. “The academy should offer diverse training options, including in-person, virtual, and blended formats.”</p>
<p><b>Finding 2:</b></p> <p>Child welfare stipend graduates are more likely to remain employed at their agencies and have more effective skills, knowledge, and abilities. However, it has been a challenge to attract and connect stipend graduates to smaller, more rural local departments of social services.</p>	<p><b>Virginia League of Social Services Executives (VLSSE):</b> Supports recommendation 2. This recommendation will be “most impactful to the advancement of the provision of foster care services in Virginia.”</p> <p><b>Children’s Home Society of Virginia (CHS):</b> Supports recommendations 2 and 3 and hopes Virginia will continue to build on this program in future years as well.</p>

<p><u>Recommendation 2:</u> Encourage Virginia Department of Social Services to create more partnerships with additional colleges and universities, which would provide more opportunities for students to participate in different regions of the state.</p> <p><u>Recommendation 3:</u> Introduce a budget amendment to increase the number of stipend slots offered <u>to students enrolled in a full-time social work program with a commitment to work at a Local Department of Social Services.</u></p>	<p><b>Virginia Association of Counties (VACo):</b> Supports recommendations 2 and 3. “Child welfare stipend graduates bring important skills to the agencies they serve, and are more likely to remain with these agencies; we support expanding use of this valuable tool for recruitment and retention.”</p>
<p><b>Finding 3:</b></p> <p>Liability insurance for foster care private providers has seen a steep increase over the past few years. Options for liability insurance are becoming more limited.</p> <p><u>Recommendation 4:</u> Amend the <i>Code of Virginia</i> to give qualified immunity to private foster care agencies and their foster care workers that contract with localities for acts of negligence that result from their services. The intent is to align private agency immunity with the local departments of social services.</p> <p><u>Recommendation 5:</u> As a response to the increasing cost of verdicts, amend the <i>Code of Virginia</i> to apply a monetary cap for negligence cases resulting from the placement of the child by a private foster care agency. The cap should be set at \$500,000.</p> <p><u>Recommendation 6:</u> Request the State Corporation Commission form a work group to study the expansion of group self-insurance pools in Virginia to permit nonprofit and for profit private foster care agencies the ability to join</p>	<p><b>Children’s Home Society of Virginia (CHS):</b> Supports recommendation 7. “CHS believes this issue needs more in-depth examination and a strategic approach weighing the potentially unintended consequences these changes could have on already vulnerable youth.”</p> <p><b>Virginia Trial Lawyers Association (VTLA):</b> Strongly opposes recommendations 4 and 5 and respectfully requests that they be rejected.</p> <p>“It is my understanding that none of the stakeholders who impleaded the rising cost or limited availability of insurance provided either facts or data to show that the cost or availability of insurance <i>in Virginia</i> was tied to <i>Virginia’s</i> statute of limitations for child sexual abuse claims, which has been in effect since <u>2011</u>. Likewise, it is my understanding that none of the stakeholders provided facts or data to show that there has been an increase in claims <i>in Virginia</i>, or cited a single large, multi-million dollar award or settlement <i>in Virginia</i>; instead, my understanding is that the stakeholders talked about ‘what was happening in other states.’ Finally, it is my understanding that none of the stakeholders identified how the rising cost of insurance for foster care facilities compared to the rising cost of insurance in other sectors of the market, or against inflation generally.”</p>

a group self-insurance pool with permission of a locality for the purposes of liability insurance for foster care services. This group shall analyze the feasibility of such a change, run sample cost savings analysis scenarios, and review any other barriers as contemplated by the group. Included in the work group shall be: the Virginia Department of Social Services, Virginia Association of Licensed Child Placing Agencies, Foster Family-Based Treatment Association, Virginia Department of Treasury, Virginia Municipal League, Virginia Association of Counties, VAcorp, Virginia Risk Sharing Association, CSA Coordinators State Group, insurance agencies and brokers, Virginia Trial Lawyers Association (VTLA), and other relevant stakeholders. This work group shall report back and make recommendations to the Commission on Youth by November 1, 2024.

Recommendation 7: Request the Department of Social Services form a work group to study the issues, concerns, and above listed policy options. Included in the work group shall be: The Office of Children’s Services, the State Corporation Commission, Virginia Association of Licensed Child Placing Agencies, Foster Family-Based Treatment Association, Virginia Department of Treasury, Virginia Bar Association, Virginia Municipal League, Virginia Association of Counties, Virginia League of Social Services Executives, VAcorp, Virginia Risk Sharing Association, CSA Coordinators State Group, insurance agencies and brokers, Virginia Trial Lawyers Association (VTLA), and other relevant stakeholders. This work group shall report back and make recommendations to the Commission on Youth by November 1, 2024.

For Recommendations 6 and 7, VTALA requests that they be added as a stakeholder in all future conversations and meetings respecting issues of liability and insurance in the private foster care setting.

**Joining with the VTALA and adding their comments in strong opposition to recommendations 4 and 5 are:**

Allen & Allen • Bangel, Bangel & Bangel, LLP • Breit Biniazan, PC • Cantor Grana Buckner Bucci • Harty Jewell, PLLC • MichieHamlett • ReidGoodwin • Suyes Law • The Warren Firm

**Virginia Association of Licensed Child Placing Agencies (VALCPA):**

Supports recommendations 4, 5, 6 and 7. “VALCPA emphasizes that the increasing cost of LCPA liability insurance and the lack of agencies willing to ensure our work is a significant problem that must be addressed. Some LCPA’s have closed recently due to not being able to afford the insurance required.”

**DePaul Community Resources:**

For recommendation 6, it would be beneficial to clarify the definition of private agency to include Licensed Child Placing Agencies.

In undertaking recommendations 6 or 7: The goal of finding 3 is to “reduce the impact of limited and expensive liability insurance on private agencies.” “To achieve the stated goal, it would be important for the Commission and/or work group to consider whether localities should have a consistent agreement, or at minimum consistent language regarding insurance.”

**Voices for Virginia’s Children:**

Opposes recommendations 4 and 5 and states, “the potential for lawsuits serves as a crucial mechanism to enforce duties of care and prevent negligence, ensuring that private providers remain vigilant in their responsibilities.”

	<p>Regarding recommendation 7, Voices is concerned about the lack of presence of groups such as the Virginia Trial Lawyers Association, Voices for Virginia's Children, Virginia Youth in Action, and Think Of Us, along with impacted consumers like parents and youth, who bring essential perspectives to the table.</p> <p><b>Virginia Poverty Law Center (VPLC):</b>  Opposes recommendation 4 and comments, “Virginia outsources its duty to many of the children it has removed from their families and placed in care to private providers who are paid taxpayer dollars to provide services to these children. If Virginia wishes for agencies whose actions or inactions cause harm to children in their care to have qualified immunity, then it should not outsource this care to private providers whose actions are outside its control. The potential for lawsuits is an important aspect of enforcing duties of care and preventing negligence.”</p> <p>VPLC opposes recommendation 5 and states, “as the finders of fact in a negligence case, are best placed to determine what the cost of a provider’s negligence and breach of its duty of care to a child should be. Judges may reduce a jury’s verdict if the evidence does not support it.”</p> <p>VPLC provides organizations that must be included in recommendation 7. “At a minimum, groups with an understanding of negligence and the duty of care, such as the Virginia Trial Lawyers Association, and non-interested independent child advocacy groups such as Voices for Virginia’s Children and the Youth Justice Program at the Legal Aid Justice Center, as well as youth-led organizations such as Virginia Youth in Action and Think Of Us, and impacted consumers of private-provider care—parents and youth—must be at this table.”</p>
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<p><b>Finding 4:</b></p> <p>The current electronic resources for students are challenging to find, which can be discouraging for foster youth to explore post-secondary education options, whether it be college, vocational, or trade school.</p> <p><u>Recommendation 8:</u> When established, request Virginia Department of Social Services to provide information on the iFoster platform to include information from universities and colleges on what supports they provide former or current foster care youth. Resources on iFoster should include workforce development assistance, educational opportunities, housing and living stipends, or discounts, financial supports, internship and employment opportunities, and other resources that are available in Virginia. <u>Information on Virginia’s Workforce and other initiatives of the Secretary of Labor should be included on the iFoster platform to assist foster care youth with obtaining meaningful employment.</u> Encourage all state and local agency employees working with foster care children, join and use the iFoster App with their foster care clients, assist foster care youth in subscribing to the App themselves, and remain current with newly added or updated resources.</p>	<p><b>Children’s Home Society of Virginia (CHS):</b> Fully supports the inclusion of education resources on the iFoster platform once it has been developed. “The iFoster platform should be used widespread to include a multitude of types of resources that each youth may need or want to access to benefit their futures and reach self-sufficiency.”</p> <p><b>Virginia Association of Licensed Child Placing Agencies (VALCPA):</b> Supports recommendation 8.</p>
<p><b>Finding 5:</b></p> <p>High school foster care youth do not always have the same community support to help them explore post-secondary options. Currently Great Expectations programs are in all 23 community colleges in the Commonwealth to help students with these challenges. This programming has proven to be effective in helping students apply for schools and transition into new programs. Although Great Expectations is currently in all</p>	<p><b>Children’s Home Society of Virginia (CHS):</b> Supports the expansion of Great Expectations beyond the community college system. Extending the supports of Great Expectations “will provide greater access to higher education for youth, increasing their opportunities for employment and higher wages.”</p>

community colleges, there is little programing to help foster care youth at 4-year institutions.

Recommendation 9: Introduce a budget amendment to fund a position at the Virginia Community College System (VCCS) to coordinate services for foster youth involved with the Great Expectations Program to improve access to higher education at 4-year colleges and universities. This position shall work with the State Council of Higher Education for Virginia (SCHEV) and the Council of Independent Colleges in Virginia (CICV) to find partnerships with 4-year colleges and universities willing to support the foster care population in obtaining a 4-year degree.

~~Request Great Expectations to explore potential partnership and expansion of programming to include public 4-year colleges and universities. Great Expectations programs at community colleges would partner with the nearest colleges to help start new programs.~~

Recommendation 10: Request the Council of Independent Colleges in Virginia to partner with Great Expectations to have a smooth transition in order to achieve a 4-year degree, and provide a point of contact for foster care youth.

### **Virginia Association of Licensed Child Placing Agencies (VALCPA):**

Supports recommendations 9 and 10.

### **Voices for Virginia's Children:**

Supports recommendations 9 and 10. "The absence of equitable community support in exploring higher education options is a critical issue. Recommendation 9...is a crucial step toward addressing this gap."

"Recommendation 10's suggestion to collaborate with the Council of Independent Colleges in Virginia ensures a seamless transition for foster care youth aiming for a 4-year degree."

### **Virginia Community College System (VCCS):**

Recommendation 9, suggesting that Great Expectations expand to public 4-year colleges and universities, "is a commendable step forward. This expansion would provide foster care youth with consistent support throughout their educational journey."

<p><b>Finding 6:</b></p> <p>Foster care youth who age out of the system and attend college or vocational training face many challenges including financial concerns.</p> <p><u>Recommendation 11:</u> Introduce a budget amendment to expand the Virginia Tuition Assistance Grant Program to include additional money for former foster care and homeless youth who were in care or experienced homelessness after the age of fourteen.</p>	<p><b>Children’s Home Society of Virginia (CHS):</b>  “Supports the expansion of tuition assistance to include money for youth in care after the age of fourteen to help them obtain higher education and vocational training.”</p> <p><b>The disAbility Law Center of Virginia (dLCV):</b>  Is “pleased to see that Finding 6 in the report addresses the financial and post-secondary challenges that foster youth face when they age out of the system. These challenges are substantial, and they are especially so for foster youth with disabilities.”</p> <p><b>Virginia Association of Licensed Child Placing Agencies (VALCPA):</b>  Supports recommendation 11.</p>
<p><b>Finding 7:</b></p> <p>Virginia needs more positions dedicated to expanding programs and working with universities and Great Expectations to ensure that the efforts to increase and improve foster care youth’s access to higher education is attainable and executed efficiently.</p> <p><u>Recommendation 12:</u> Introduce a budget amendment to fund a position at either State Council of Higher Education Virginia (SCHEV) or the Virginia Department of Education, dedicated to ensuring that the expansion of Great Expectations is done efficiently and to continuing to explore other ways to improve opportunities for foster care youth aging out of the system as well as former homeless youth.</p>	<p><b>Children’s Home Society of Virginia (CHS):</b>  Supports recommendation 12.</p> <p><b>Virginia Association of Licensed Child Placing Agencies (VALCPA):</b>  Supports recommendation 12.</p> <p><b>Virginia Community College System (VCCS):</b>  “We are encouraged that your draft proposal recommends funding for an additional staff person to help expand Great Expectations. Because of our existing emphasis on coordinating services for foster youth, this position would be best located at the VCCS. We also would welcome a request for a state appropriation to fund additional startup costs associated with expanding GE programs at our colleges including marketing, college staffing, and direct student support.”</p> <p>“I strongly endorse the recommendations proposed in the report, understanding that securing additional funding and structural enhancements will be essential for their successful implementation.”</p>

<p><b>Finding 8:</b></p> <p>Faster Families Highway provides a platform for those interested in becoming a foster parent to be connected with Local Departments of Social Services. A review of the highway would be helpful in determining if improvements could be made in the recruitment of foster families.</p> <p><u>Recommendation 13:</u> Request the Virginia Department of Social Services to review the Faster Families Highway by conducting a survey of local departments of social services to ensure that the platform is providing the local departments of social services with the information that they need and that the questions for the interested foster care families are appropriate. Request that Virginia Department of Social Services provide a tab on the platform with helpful marketing information that is readily available for promoting foster care. Information that is sent in “Tool Kit Tuesdays” should be placed on the platform and templates should be developed to promote best practices in the recruitment of foster families.</p>	<p><b>Children’s Home Society of Virginia (CHS):</b> Supports the review of the Faster Families Highway platform. “CHS always supports a review of best practices when recruiting families for vulnerable children and youth.”</p> <p><b>Virginia Association of Licensed Child Placing Agencies (VALCPA):</b> Supports recommendation 13, but “suggests that VALCPA Membership be included in the Faster Families Highway in order to increase the efficiency of approving homes in Virginia and ensure that anyone who is willing and appropriate to be a foster family can be approved in a timely manner.</p>
<p><b>Finding 9:</b></p> <p>When a foster care child experiences an emergency situation, the foster family may need additional supports. Enhanced payments assist both the local departments of social services and the foster family in assuring that the child remains in an appropriate placement.</p>	<p><b>Virginia League of Social Services Executives (VLSSE):</b> Supports recommendation 14. This recommendation will be “most impactful to the advancement of the provision of foster care services in Virginia.”</p> <p><b>Children’s Home Society of Virginia (CHS):</b> Supports the provision of additional supports for families whose foster child is experiencing an emergency.</p> <p><b>Virginia Association of Licensed Child Placing Agencies (VALCPA):</b> Supports recommendation 14.</p>

<p><u><b>Recommendation 14:</b></u> Introduce a budget amendment for the continuation of the Exceptional Circumstances Payment pilot program. The program shall provide funding in emergency situations for up to \$3,000/month for up to 3 months to ensure a safe and stable placement for children/youth in foster care.</p>	<p><b>City of Suffolk:</b> Supports recommendation 14. “The City believes that this funding should also be available for emergency situations faced by local DSS offices to help offset their supervision and/or housing costs until a traditional placement is found. While the number of children and adolescents in these situations has not been a large number, particularly since the Safe and Sound Task Force was formed, there are costs associated with emergency situations when there is no other option available.”</p>
<p><b>Finding 10:</b></p> <p>One of the symptoms of the opioid epidemic track has been a huge increase in foster care in the areas most impacted by the epidemic. According to recent data, 30% of foster care admissions are linked to parental drug abuse.</p> <p><u><b>Recommendation 15:</b></u> Request the Virginia Department of Behavioral Health and Developmental Services, in coordination with the Department of Social Services, assess the barriers to availability of substance use treatment services across Virginia’s localities and make recommendations for ways that community services boards and local departments of social services can collaborate and have systems in place to address a parent’s substance use and prevent the removal of children from the home into the foster care system.</p> <p><u><b>Recommendation 16:</b></u> Request the Virginia Opioid Abatement Authority provide technical assistance to local governments, including local departments of social services, that were disproportionately impacted by the opioid epidemic.</p>	<p><b>Children’s Home Society of Virginia (CHS):</b> Supports the assessment of barriers to availability of substance use treatment services across Virginia’s localities. “When substance use treatment services are appropriate for the family of a child at risk of entering foster care, Virginia’s localities should be prepared to assist that family member in accessing those services, regardless of whether the child needs to be removed from the home or can safely remain in the home.”</p> <p><b>Virginia Association of Licensed Child Placing Agencies (VALCPA):</b> Supports recommendations 15 and 16.</p> <p><b>Virginia Poverty Law Center (VPLC):</b> At the outset, VPLC states the “lack of understanding of Substance Use Disorder, a complex issue, continues to stigmatize and harm individuals, families, children, and entire communities; as does bias against the current gold standard for treatment, Medically Assisted Treatment.”</p> <p>“Further, Virginia is sorely lacking in parent and child dyadic in-patient substance use treatment facilities. A few such facilities exist in Virginia, but Virginia has not prioritized their creation, and has not availed itself of federal funds available to support those existing. Taking advantage of this treatment model would decrease the</p>

	<p>number of children aged zero-5, and in many cases up to age 9, from entering foster care, as they are able to reside with the parent. We ask that the VCOY recommend a study into funding these programs.”</p> <p>VPLC supports recommendation 16. “We are glad to see that the VCOY is recommending that Opioid Abatement Authority help localities impacted by the irresponsible and illegal distribution of opioids by responsible parties and corporations.”</p>
<p><b>Finding 11:</b></p> <p>Teens in foster care face significant barriers to obtaining a driver’s license. These young people often miss out on age-appropriate adolescent experiences and opportunities made possible by driving that create a sense of normalcy, which helps them make a successful transition to adulthood.</p> <p><u>Recommendation 17:</u> Introduce a budget amendment to provide support for the development and implementation of a statewide drivers’ licenses program for youth in and formerly in care in obtaining a driver’s license.</p>	<p><b>Children’s Home Society of Virginia (CHS):</b> Strongly supports this recommendation. Access to transportation is a huge barrier to self-sufficiency.</p> <p><b>Virginia Association of Licensed Child Placing Agencies (VALCPA):</b> Supports recommendation 17.</p> <p><b>Voices for Virginia’s Children:</b> “Addressing this finding may involve policy adjustments, additional support mechanisms, or educational programs tailored to assist and empower teens in foster care on their journey towards acquiring a driver’s license and the associated benefits it brings for their future success.”</p> <p><b>Virginia Poverty Law Center (VPLC):</b> Supports recommendation 17.</p>

**Finding 12:**

Local departments of social services across the state have seen an increase in the use of relief of custody as a way to deal with a troubled teen or child.

Recommendation 18: Direct the Commission on Youth to review concerns surrounding the increased use of temporary and permanent relief of custody to place a child in foster care. The Commission shall convene an advisory group to assess this concern. This advisory group shall include the Department of Social Services, Department of Behavioral Health and Developmental Services, Department of Juvenile Justice, the Court Improvement Project, Local Departments of Social Services, Community Services Boards, and other relevant stakeholders.

**Children’s Home Society of Virginia (CHS):**

Supports recommendation 18.

**Virginia Association of Licensed Child Placing Agencies (VALCPA):**

Supports recommendation 18 and “requests that VALCPA and Foster Family-based Treatment Association (FFTA) membership be asked to provide representatives to participate on this workgroup.”

**DePaul Community Resources:**

Supports this recommendation and adds, “We would like to recommend that Virginia Association of Licensed Child Placing Agencies (VALCPA) be explicitly named as an advisory group participant. As a licensed child placing agency providing treatment foster care, we often receive and place referrals of children who have come into foster care under a relief of custody agreement, as these children often have mental health or behavioral issues that make them more challenging to sustain in placement. Participation by VALCPA will provide a more rounded picture of the various factors influencing this trend.”

**Virginia Poverty Law Center (VPLC):**

Supports recommendation 18, but notes, “neither impacted parents or youth— nor parent, youth, or impacted community advocacy organizations (in other words, those with the most expertise on the matter) — are named as stakeholders.”

**Additional Recommendation:**

Request that the Department of Social Services review the following proposed recommendations on informal kinship care:

(The following public comment/proposed recommendations were submitted by **Nicholas Palacio, Informal Kinship Care Provider, Staunton**)

**1. Make available a stipend for informal kinship care families, similar to the stipend that foster care families get.** The benefits of the stipend are to help improve the welfare of the family and the children in their care. Right now, informal kinship caretakers only get TANF funds and they are typically levied against the biological parents through the department of child support enforcement.

**2. Create permanency plans for children in informal kinship care situations.** Right now, once a child is placed in an informal kinship care situation, the role of DSS typically continues until a permanent custody order is in place. Once a permanent custody order is in place, then DSS will close the case without offering or suggesting a permanency plan. This will leave the child in a legal limbo for the rest of their childhood until they reach the age of 18, when the custody order expires.

**3. Make available the information regarding informal kinship care arrangements, and allow formal kinship care arrangements to occur more easily.** There is not a lot of information surrounding informal kinship care arrangements. There should be more information on the DSS website informing the public on this policy, which compares the benefits to formal kinship care through foster care.

<p><b>4. Virginia should be collecting data related to informal kinship care.</b> Data on informal kinship care is needed to make policy decisions on ways to improve kinship care in Virginia.</p>	
	<p><b>Additional Comments:</b></p> <p><b>The disAbility Law Center of Virginia (dLCV):</b>          These draft recommendations “do not address a state policy that has a significant impact on a subset of foster youth, including those youth who are eligible for Supplemental Security Income benefits due to the severity of their disabilities, and those who are eligible for Social Security or Department of Veterans Affairs benefits because of their parents’ deaths or disabilities. These youth are often denied access to much or all of their federal benefits, because Virginia law allows local offices of social services to apply for federal benefits on their behalf, become their representative payee and then use their federal financial benefits to fund supports that the Commonwealth’s child welfare system would otherwise be responsible for.”</p> <p><i>“The General Assembly should amend the Code of Virginia to:</i></p> <ol style="list-style-type: none"> <li><i>1) Prohibit the use of foster youths’ Federal benefits to pay for care and supports that the Commonwealth’s child welfare system is otherwise obligated to pay for;</i></li> <li><i>2) Require local departments of social services to apply for federal financial benefits that youth in its care may be eligible for on their behalf; and</i></li> <li><i>3) Require local departments of social services who are representative payees for foster youth to conserve their federal benefits in an appropriate trust instrument or protected account that appropriately avoids federal asset and resource limits, such as an Achieving a Better Life Experience (ABLE) account.”</i></li> </ol>