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Testimony Before the Council of the District of Columbia

Committee on Human Services

**Public Hearing: The Grandparent and Close Relative Caregivers
Program Amendment Act of 2021**

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Good morning Chairperson Nadeau and Members of the Committee on Human Services. My name is Stephanie McClellan, and I am the Deputy Director of DC KinCare Alliance. Our mission is to support the legal, financial, and related service needs of relative caregivers who step up to raise children in their extended families in times of crisis when the children's parents are not able to care for them due to COVID-19, mental health and substance use disorders, incarceration, death, abuse and neglect, and/or deportation.

I am pleased to testify today in support of the Grandparent and Close Relative Caregivers Program Amendment Act of 2021, which would (1) eliminate the six-month period that grandparents and close relatives must wait once the child comes into their homes before they can apply for the subsidies, and (2) permit relatives to apply for a subsidy if a disabled parent resides in the home who cannot care for the child. Today, we are also recommending an additional revision to the Close Relative Caregiver Program (CRCP) statute to allow non-blood-related caregivers to be eligible for the subsidy.

Elimination of the Six-Month Eligibility Waiting Period

We have advocated for elimination of the six-month eligibility waiting period for many years. This six-month period causes real hardship to relative caregivers and the children they raise. DC's relative caregivers are primarily women of color who live in Wards 7 and 8. Most live at the economic margins of our society, even before they are called upon to raise a relative child. Many report a significant disability. The children who come into their care arrive with nothing but the clothes on their back and the relative caregivers have to scramble to buy food, clothing, shoes, toiletries, bedding and even a bed. The up-front costs of having a child come into their homes unexpectedly are great and our kinship caregivers do not have savings or other resources available to cover these costs. Often, they wind up falling further into poverty, with no money to pay for rent, food, heat, water, or electricity. That is

why the subsidy must be provided as soon as possible after a child comes to live with a relative.¹

We know that there are devastating impacts for children growing up in poverty.² Advancements in neuroscience have made it possible to demonstrate that poverty disrupts the developing brain architecture, which leads to significantly lower educational achievement, earnings, and overall health, as well as a disproportionately higher rate of developmental delays and learning disabilities.³ And, research has found that there is a “dose-response” pattern, such that outcomes are worse the longer children are exposed to poverty.⁴ These studies posit that interventions aimed at increasing the income of families with children can alter the link between childhood poverty and deficits in cognition and academic achievement.

According to CFSA’s Grandparent and Close Relative Caregiver Programs Annual Status Reports for 2020, 75% of the recipients of the Grandparent subsidy receive TANF, and 79% of the recipients of the Close Relative Caregiver subsidy receive TANF. This means that the vast majority of recipients live well below the poverty line. The annual average subsidy together with TANF effectively brings a family at least up to the poverty line. But waiting to do this only serves to hurt children and increase their risk of both short-term and long-term deficits in all areas of development, including health, education, and well-being. Every minute, hour and day matters, and we should make sure all efforts are made to bring these children out of poverty as quickly as possible.

¹ Even without the six-month eligibility waiting period, in our experience, it takes approximately three months from submission of an application to receipt of the subsidy.

² Toxic Stress Key Concepts,” Harvard University Center on the Developing Child.
<http://developingchild.harvard.edu/science/key-concepts/toxic-stress/>.

³ Perry Firth, “Homelessness and Academic Achievement: The Impact of Childhood Stress on School Achievement,” Firesteel: The Network of Washington YWCAs Washington. (September 8, 2014).
<http://firesteelwa.org/2014/09/homelessness-and-academic-achievement-the-impact-of-childhood-stress-on-school-performance/>

⁴ Hair NL, Hanson JL, Wolfe BL, Pollak SD. Association of Child Poverty, Brain Development, and Academic Achievement. *JAMA Pediatr.* 2015;169(9):822–829. doi:10.1001/jamapediatrics.2015.1475.
<https://jamanetwork.com/journals/jamapediatrics/fullarticle/2381542>.

Permitting Eligibility When Disabled Parent Lives in the Home

About a year ago, we recommended to CFSA that a relative caregiver should still be eligible for the subsidy when a disabled parent lives in the home if that parent cannot care for the child, and provided proposed language to implement this change. The reason we sought this revision is because, in our experience working with DC kinship families, we have seen many caregivers who raise children in multi-generational homes where the parents are disabled and cannot care for the children. In these cases, the grandparents or close relatives are taking on responsibility for caring for the parents and the children and need the subsidy just as much as, if not more than, caregivers where parents are not living in the home. We support and commend CFSA for following through on this recommendation.⁵

Establishing Eligibility for Non-Blood-Related Caregivers

As we look at who is caring for vulnerable DC children when their parents cannot, we see some trends. These include many non-blood-related caregivers who are godparents, currently defined in the Grandparent Caregiver Program (GCP) statute as “an individual identified in a sworn affidavit by a relative of the child by blood, marriage, domestic partnership, or adoption to have close personal or emotional ties with the child or the child’s family that pre-dated the child’s placement with the individual.”⁶ The GCP statute permits these godparents to receive the GCP subsidy only if it is transferred from a grandparent, great-grandparent, great aunt or great uncle who was awarded the subsidy.⁷

There are a number of inconsistencies and problems with this provision that can be easily rectified. If a “godparent” takes on the responsibility of caring for a child when their parents cannot, it should not matter whether the caregiver is blood-related and it should not

⁵ We recommend a corresponding section (D) be added to the subsidy transfer section of statute at DC Code § 2-451-03a(a)(3).

⁶ D.C. Code § 4-251.01(1A).

⁷ D.C. Code § 4-251.03a.

matter that they take in a child only after a grandparent who received the subsidy transfers it to them. Indeed, the child needs the financial stability the subsidy provides in all of these situations equally. In addition, the definition of “godparent” in the GCP statute is unnecessarily restrictive. While the godparents we represent meet the definition of having “close personal or emotional ties with the child or the child’s family that pre-dated the child’s placement with the individual,” they often are not able to provide a sworn affidavit to that effect because the parents and blood relatives have abandoned the child or are unable or unwilling to sign such an affidavit. Indeed, many godparents have legal custody of a child ordered by a court, but would not be considered a godparent under the statute because the parent will not swear to the emotional or personal ties the caregiver has with the child.

We request that the Council amend the CRCP statute to allow non-blood-related caregivers with close emotional or personal ties to the child to be eligible for the subsidy. All this would entail is adding the word “godparent” to the definition of “close relative” and including a definition of “godparent” that removes the requirement that a relative swear to the relationship of the caregiver with the child (see Attachment A for revised language changes).⁸ Notably, it appears from CFSA’s CRCP 2020 Annual Report that not all funding had been expended for that year; accordingly, expanding the program in this way should not result in a substantial increase in program funding, if any.

Thank you for the opportunity to testify today. I am happy to answer any questions.

⁸ D.C. Code. § 4-251.21(2).

Attachment A

Code of the District of Columbia (Close Relative Caregiver Program)

§ 4-251.21. Definitions.

For the purposes of this subchapter, the term:

- (1) "Agency" means the Child and Family Services Agency established by § 4-1303.01a.
- (2) "Close relative" means an adult who is a brother, sister, aunt, uncle, nephew, niece, or cousin of the child and related to the child by blood, marriage, domestic partnership, or adoption or is a godparent of the child.
- (3) "Criminal background check" means the investigation of an individual's criminal history through the record systems of the Federal Bureau of Investigation and the Metropolitan Police Department.
- (4) "Godparent" means an individual with close personal or emotional ties with the child or the child's family that pre-dated the child's placement with the individual.
- (45) "Mayor" means the Mayor or a designee of the Mayor.
- (56) "Temporary Assistance for Needy Families" or "TANF" means the Temporary Assistance for Needy Families program established by § 4-202.01.