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Testimony Before the Council of the District of Columbia

Committee on Youth Affairs

**Performance Oversight Hearing
Child and Family Services Agency
February 13, 2025**

Victoria Taplin

Managing Attorney, Policy & Advocacy

DC KinCare Alliance

Good afternoon, Chairperson Parker and Members of the Committee on Youth Affairs. My name is Victoria Taplin, and I am a Managing Attorney for Policy & Advocacy with 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 hospitalization, mental health and substance use disorders, incarceration, death, abuse and neglect, and/or deportation. In the 7 years since our founding, we have helped over 1,000 relative caregivers raising more than 1,000 DC children in more than 1,000 legal matters. DC KinCare Alliance is a member of the Fair Budget Coalition, and we support budget priorities and policies that alleviate poverty in the District of Columbia.

I am testifying today regarding the DC Child and Family Services Agency ("CFSA"). Our work intersects regularly with that of CFSA as we strive to support family members who come to the rescue of abused or neglected children in grave need, often very suddenly. We are very concerned by the shortage in investigative social workers, resulting in diminished capacity of the Agency to initiate and complete investigations timely, which in turn, we believe compromises the safety of the District's children. Not only have we received complaints from our clients about their relative children being left in abusive situations, but we also have noted an uptick in child maltreatment fatalities reported in the news. Furthermore, we are disappointed with some aspects of how CFSA is administering its caregiver subsidy programs, particularly, erecting unwarranted barriers to access, and a general lack of responsiveness or sense of partnership when we bring issues to their attention that have been reported to us by our clients.

A. Shortage of CPS Investigative Social Workers

We are concerned that the current shortage in CPS investigative social workers is negatively impacting child safety. Our clients have reported frustrations about the time it takes for investigations to begin and to be completed, and that CFSA is leaving children in unsafe conditions in their homes. In its responses to Performance Oversight Pre-Hearing Questions, dated February 10, 2025¹, CFSA stated its own benchmark of satisfactory performance as 90% of its CPS social workers having caseloads of 12 or fewer, and no caseworker having greater than 15 cases. Yet data for FY2025 to date shows that 28 out of a total of 38 social workers carried an average of more than 12 cases, with 23 of them carrying an average of more than 15 cases, and 19 carrying an average of more than 20 cases.

More concerning still, CFSA caseload data indicates that there are fewer than half the number of social workers doing this work now than in previous years. CFSA's responses to performance oversight questions for FY 2024 documented a total of 90 CPS social workers for FY2023. However, its most recent responses show that number dropping to only 39 social workers for FY2024, and dropping further still to only 38 social workers for FY2025-to-date. If social workers are not able to complete the required interviews and collect needed information timely, endangered children may suffer further harm.

B. CFSA's Administration of the GCP and CRCP

1. Unnecessary Documentation Requirements

A very important part of our work is advising our relative caregiver clients about public benefits that are available to them as District residents and assisting them to apply for those benefits by helping them submit online applications and upload necessary supporting documentation. Over the past year and a half, CFSA has imposed additional documentation

¹ <https://lims.dccouncil.gov/Hearings/hearings/698>.

requirements for the Grandparent Caregiver Program (“GCP”) and the Close Relative Caregiver Program (“CRCP”), causing significant delays in the processing of applications and added stress for caregivers who need these subsidies to feed and clothe the children in their care. These additional requirements are not mandated by the applicable statutes and, in fact, act in contravention of their requirements that the Mayor “process an application for a subsidy with reasonable promptness.” DC Code section 4-251.03(i) and 4-251.23(i). Moreover, they undermine the purposes of the programs to ensure the safety and security of children living with relative caregivers by providing financial help to care for these children as soon as possible.

In August 2024, we met with staff from the CFSA Office of Thriving Families to discuss these and other issues, and to talk about how we could work collaboratively to make the application process as easy and efficient as possible for relative caregivers. We provided staff with specific examples of how these additional documentation requirements have created barriers for caregivers to access the programs, yet in follow-up correspondence, CFSA insists there is no evidence that these requirements cause barriers and indicate they are not going to eliminate or even modify them. (See attached correspondence with CFSA regarding these barriers). We still maintain they are unnecessarily burdensome for caregivers with no corresponding reason they are necessary. Accordingly, we are asking CFSA to address the following unremedied concerns:

a. Lease to Prove DC Residency

To prove DC residency, applicants could previously provide **one** of the following documents: a District-issued ID, a lease or mortgage, **OR** a utility bill. Program staff now require a District-issued ID **AND** a current lease or mortgage, and will not accept a utility bill. Most of our caregiver clients do not own computers and, therefore, struggle with copying and uploading what is often a 10-20 page lease on their phone. Worse still, some of

our clients have found that if their lease has converted to month-to-month at the conclusion of the initial year-long lease term – common with public voucher leases in DC -- CFSA has not accepted it, telling them that the lease has “expired,” and they have to obtain a rental verification from their landlord, which is onerous and can take time. If the concern is really about proving that the applicant still lives in DC, a recent utility bill showing their name and DC address should be sufficient. DHS accepts a utility bill to prove residency for TANF applications, so we question why proving residency should be more rigorous for the caregiver subsidies.

b. School Records to Prove Child is Living With the Caregiver

In the past, a school enrollment form was only required if an applicant did not have a custody order; for those applicants, submitting a school enrollment form was one way to prove they were the child’s primary caregiver. Now, however, even when caregivers have a custody order, Program staff require that they also furnish a school enrollment form to confirm that the child is presently enrolled (and with recertifications, they must furnish an attendance record to prove that the child is attending school). This causes a delay for applicants because there are circumstances when a caregiver has recently taken a child into their home, and a school record showing their address can be difficult to obtain quickly, especially if they have taken in the child over a summer or other school break. Moreover, we query why CFSA is layering on this additional requirement, when proof that the child is in school is not an eligibility requirement under applicable law or policy.

2. Methodology for Calculating Subsidy Rate Must be Made Publicly Available

At our August 2024 meeting with CFSA and several times since, we have asked Program staff to provide the calculator or formula used to determine the subsidy daily rate. We have seen considerable variation in the daily rates received by our caregiver clients, and it is not apparent to us how the rate is calculated. We would like to know the formula so that we can provide caregivers information on what they should expect to receive and ensure the amount received is accurate. To date, we still have not been provided with the formula for calculating the subsidy daily rate, which should be readily available to the public.

C. Recommendation for Amendment to Caregiver Subsidy Statutes to Expand Eligibility

Under current law, caregivers are only eligible to receive the caregiver subsidy with respect to relative children in their care who are younger than age 18.² Once they turn 18, the subsidy ends. The reality is that although they have reached the age of majority, many young people are still in high school when they turn 18 and are not in a position to seek employment to become independent. We propose that the governing statutes for the GCP and the CRCP be amended to allow the subsidy to continue until the young adult turns 19, provided that they are enrolled full-time in high school or a vocational or technical training program. TANF and GAC already operate this way, so this legislative change would make the caregiver subsidy programs consistent with these programs. The current cutoff creates a hardship for caregivers of 18-year-olds who are still in high school, because the cost of supporting them is no less than before, and usually more. This modest change to eligibility means that the subsidy would see the kinship family through the child's high school years, just like cash assistance currently does. Our legislative proposal, which was recommended to us by the residents of Plaza West Grandfamilies Housing, is attached.

² D.C. Code §§ 4-251.03(d) and 4-251.23(e).

In summary, we ask that CFSA implement less burdensome alternatives to its documentation requirements for the caregiver subsidies so that caregivers can receive the subsidy payments as quickly as possible, bearing in mind that even an additional week or day that a caregiver must wait causes stress and hardship on their kinship family. We also ask for greater transparency about how the subsidy daily rate is calculated, which is the public's right. And finally, we request that the DC Council consider a revision to the caregiver subsidy statutes to make eligibility for payments consistent with cash assistance programs – specifically, that payments would continue with respect to young adults up to age 19 who are still in the caregiver's home and attending school or a vocational/technical training program.

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

Re: GCP/CRCP Subsidy Rate Inquiry

From Marla Spindel <marla@dckincare.org>

To McKinley, Yolanda (CFSA) <yolanda.mckinley@dc.gov>

CC Weinmann, Sebastian (Council) <sweinmann@dccouncil.gov>, Trice, Tanya T. (CFSA) <Tanya.Trice@dc.gov>, Ibraheem, Sharafdeen (CFSA) <sharafdeen.ibraheem@dc.gov>, Wilson, Dedrick (CFSA) <dedrick.wilson@dc.gov>, Blackmon, Keena (CFSA) <keena.blackmon1@dc.gov>, Grey, Nicola N. (CFSA) <nicola.grey@dc.gov>, Victoria Taplin <vicky@dckincare.org>, Thomas, William (OFC) <william.thomas@dc.gov>

Date Monday, January 6th, 2025 at 8:00 AM

Dear Ms. McKinley,

Thank you for your message concerning the requests we made in our meeting with Mr. Ibraheem and other CFSA staff on August 29, and that I reiterated in a follow-up email to them on September 5. As a reminder, the purpose of our meeting was to notify CFSA about unnecessary burdens to access the caregiver subsidies so that CFSA could work to address them.

Regarding the first question about the calculation of the subsidy daily rate, even apart from the issue of why there is a difference in the daily rate based on age, which you have said CFSA is still investigating, we would like to understand the method or formula used to calculate the subsidy. This method should be readily available to share.

Regarding the second question about having to provide a lease to prove DC residency, you state that "there has been no evidence of a barrier for caregivers to comply with the current requirement," when in fact, we provided such evidence to CFSA staff in our August 29 meeting. To reiterate, those barriers that our clients have experienced include the difficulty and cost of copying and uploading what is often a 10-20 page lease, and the problem of month-to-month leases not being accepted by CFSA when the initial year-long lease term has "expired." Given these barriers, we again request that CFSA permit other less burdensome options to prove residency. DHS accepts a utility bill for TANF applicants to prove residency, which is much easier for applicants to find and reproduce. Alternatively, a paystub or proof of benefits letter from a government agency are easy to provide and would serve the same purpose. Moreover, a utility bill was accepted previously by CFSA, so we would like to understand why there was a need to change the requirement in this regard.

As for the third question about having to provide a school enrollment form: again, we presented evidence at the August 29 meeting of the barrier this has caused our caregiver clients. We are glad to hear that a school enrollment form is no longer required when the applicant has a court order specifying the relationship, as some of our clients were being told they had to provide both. But there are circumstances when a caregiver has recently

taken a child into their home and does not yet have a custody order laying out the caregiving relationship, and a school record showing their address can be difficult to obtain quickly, especially if they have taken in the child over a summer or other school break and would not have the most recent school record. We query why CFSA is requiring that the caregiver prove the child is in school, as that is not an eligibility requirement under applicable law or policy. For TANF applications, DHS now accepts a self-attestation to prove the caregiving relationship, which is obviously much easier to provide. We have attached for your review a copy of the new DHS policy. Accordingly, we are again requesting that this requirement be removed or that other more reasonable options be made available.

In conclusion, we would still like to know what the calculation method is for the daily subsidy so we can guide our clients about what to expect, and request that CFSA provide this immediately, as it should be readily available to the public. We also request that CFSA implement less burdensome alternatives to its documentation requirements so that caregivers do not have to go to multiple places to obtain such documentation and can obtain the subsidy as quickly. As an overall matter, we are asking CFSA to reduce rather than increase barriers to access these benefits in the future.

Marla P. Spindel (she/her/hers)

Executive Director

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IF YOU ARE A RELATIVE CAREGIVER RAISING A DC CHILD, CALL OUR HELPLINE FOR ADVICE ON YOUR LEGAL RIGHTS AND FINANCIAL BENEFITS AT 202-505-5803

On Monday, December 2nd, 2024 at 3:13 PM, McKinley, Yolanda (CFSA) <yolanda.mckinley@dc.gov> wrote:

Marla Spindel

Executive Director

DC Kincare Alliance

Hello Ms. Marla Spindel:

The Child and Family Services Agency (CFSA) received the following inquiry below from Sebastian Weinmann, Deputy Director and Interim Director, DC Council Committee on Facilities and Family Services, on behalf of the DC Kincare Alliance. On behalf of Sharafdeen Ibraheem, CFSA Deputy Director for the Office of Thriving Families, please find responses to the inquiry below.

- Responses to Questions/Issues Raised

1. Provide the calculator/formula used to determine the subsidy daily rate; Understand why there is a difference in the daily rate based on age as reported in the 2023 GCP and CRCP Annual Report when it is tied to the foster care rate that was changed to be the same for all ages as of 2020.

As it relates to the inquiries regarding the subsidy daily rate, thank you for bringing this matter to CFSA's attention. CFSA has identified a potential discrepancy and are currently investigating the matter. CFSA will respond to your inquiry once the internal review is complete.

2. Add the option for proof of residency or providing a recent utility bill in lieu of a lease.

CFSA does not plan to add the option for proof of residency in lieu of a lease. There has been no evidence of a barrier for caregivers to comply with the current requirement, and it has not impacted subsidy eligibility determinations. New applicants are required to provide a lease as proof of residency. Utility bills are acceptable forms of proof for recertifying caregivers. In the future, if CFSA determines that this requirement becomes a barrier, CFSA will reevaluate this suggestion.

3. If the caregiver furnishes a court order granting them custody, they should not also have to provide a school record showing the caregiving relationship, which is often requested by staff. Obtaining school records can take time and is often impossible during the summer or school breaks.

CFSA does not plan to change this requirement. There has been no evidence that this requirement has been a barrier for caregivers to comply or that it has impacted subsidy eligibility determinations. If a court order specifies the relationship, it serves as proof. School enrollment forms for new applicants and proof of school attendance for recertification are used to confirm that school-aged children are enrolled and/or attending school. During school breaks, the most recent document is accepted. In the future, if CFSA determines that this requirement becomes a barrier, CFSA will reevaluate this suggestion.

If CFSA can be of further assistance on this matter, please contact Mr. Ibraheem at sharafdeen.ibraheem@dc.gov or at (202) 531-9065.

Sincerely,

Yolanda McKinley | Intergovernmental Affairs | Office of the General Counsel | DC Child and Family Services Agency | www.cfsa.dc.gov | 202-442-6100 (main) | yolanda.mckinley@dc.gov (email) | | 202-442-6003 (office)

359.65 KB 3 files attached

LW_PR_Memo 10-16-24 (004).pdf 177.50 KB

LW_PR_SelfAttestation_Memo Attachment A.pdf 64.44 KB

LW_PR_SelfAttestation_Memo Attachment B.pdf 117.72 KB

September 17, 2024

**PROPOSAL FOR EXPANSION OF
GRANDPARENT CAREGIVER PROGRAM (GCP) AND
CLOSE RELATIVE CAREGIVER PROGRAM (CRCP)**

Expand Age Eligibility To Be Consistent With Temporary Assistance to Needy Families (TANF) and General Assistance for Children (GAC) Requirements

According to its legislative history, the purpose of the DC Grandparent Caregiver Program (GCP) and Close Relative Caregiver Program (CRCP) is to acknowledge the lack of support for grandparent and other caregivers in light of the important role they have risen to accept, and the disparity of financial assistance provided to foster parents who care for the District's adjudicated children versus caregivers who do so outside the foster care system.

Among other things, the GCP and CRCP restrict eligibility for payments to applicants caring for a child under the age of 18. See DC Code §§ 4-251.03(d) and 4-251.23(e). However, many young adults remain in the care of a grandparent or relative after they turn 18 because they are still in high school or vocational school. Children typically turn 18 during their senior year of high school. Further, it is not uncommon for the trauma that caused children to come into kinship care to also have negatively impacted their education. In such instances, children may turn 18 as juniors and 19 as seniors. The COVID-19 pandemic further resulted in children being held back or having to retake certain classes.

Losing the subsidy after a child has reached the age of majority but is still in high school places a serious hardship on the kinship family. Moreover, this age cut-off is inconsistent with other benefits programs, like TANF and GAC, that reflect the need to support young adults long enough to give them the chance to become self-sufficient.

Accordingly, we are proposing a revision to the GCP and CRCP to make the age cutoff consistent with TANF/GAC requirements. A caregiver can receive TANF or GAC when caring for a person who has not attained 18 years of age, or has not attained 19 years of age and is a full-time student in a secondary school (or in the equivalent level of vocational or technical training). Accordingly, a caregiver can receive TANF or GAC longer than they can receive the GCP or CRCP subsidies.

To make the GCP and CRCP subsidy age eligibility requirements consistent with TANF/GAC, this proposal recommends that DC Code §§ 4-251.03(d) and 4-251.23(e) be revised to read as follows:

Eligibility for subsidy payments under this section may continue until the child reaches the age of 18, or until they reach 19 years of age if they are also a full-time student in a secondary school (or in the equivalent level of vocational or technical training).

This proposal makes sense in light of the deduction of TANF or GAC from the monthly amount received under the GCP or CRCP. These benefit programs go hand in hand, and together provide reliable support for the kinship family. Accordingly, so long as a recipient is receiving TANF or GAC for the child, they should also be entitled to receive the GCP or CRCP.