

# United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

March 30, 2020

The Honorable Mike Pence  
Vice President of the United States  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

Commissioner Elizabeth Darling  
Administration on Children, Youth and Families  
330 C Street, S.W.  
Washington, D.C. 20201

Dear Vice President Pence and Commissioner Darling:

As the nation rushes to address the COVID-19 pandemic, we are deeply concerned for the safety of over 450,000 children in the child welfare system.<sup>1</sup> These youth are among the most vulnerable in our country and special care must be taken to assure their wellbeing. We are pleased that the Administration for Children and Families has issued guidance to child welfare agencies urging them to work with universities to ensure that youth currently or formerly in care have access to housing, food, and health care during school closures. However, this issued guidance only addresses a small set of questions state and tribal child welfare programs are grappling with in response to the spread of COVID-19. State and tribal child welfare programs require detailed information regarding the Administration's plan to help them protect the vulnerable youth in their care during this pandemic.

COVID-19 presents a unique and dangerous challenge to child welfare agencies across the country, as they must consider protecting the health and wellbeing of the youth in their care as well as members of their workforce. The child welfare system is not designed for the Centers for Disease Control and Prevention's (CDC) social distancing recommendations. In order for caseworkers to avoid jeopardizing their own health, they may be inadvertently impeding the progress of their clients' case plans by no longer being able to support in-person therapeutic services and family visitation. The detrimental impacts possible as a result of reduced interactions with caseworkers could be compounded by placement type. Youth in the child welfare system reside in a variety of settings ranging from foster family placements, to kinship care, to congregate care, with each setting posing its own unique challenges to protecting youth from the spread of COVID-19. Yet, recent reports have shown that regardless of the placement

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<sup>1</sup> <https://www.acf.hhs.gov/sites/default/files/cb/afcarsreport26.pdf>

setting, the spread of COVID-19 threatens the ability of these vulnerable youth to access much needed educational, health, mental health and housing resources.<sup>2</sup>

We urge the Administration to issue comprehensive guidance to states and tribes to ensure that youth placed in all setting types within the child welfare system remain stably housed and have access to the full range of support services required to meet their educational, health, and general case plan needs. In order to understand more about the steps that the White House Coronavirus Taskforce and the Children's Bureau have taken and intend to take, we request a response to the following questions no later than **April 6, 2020**.

### Children

1. As schools close in response to the COVID-19 virus, how will the Administration ensure all children in foster care, including children residing in congregate care settings, do not experience a disruption in their academic progress?
  - a. How is the Administration working to ensure all foster parents and relative caregivers have access to needed technology, internet, and services to effectively maintain educational progress for the children in their care?
  - b. Describe the special accommodations being considered to meet the needs of older youth with disabilities in communities with closed schools or virtual learning options that will not meet their needs.
2. Because group care settings present conditions that could spread COVID-19, what efforts will the Administration take to promote reductions of unnecessary group care placements and provide access to necessary sanitation services in congregate care settings?
  - a. Please provide the Administration's COVID-19 emergency response plan to address the health and social needs of children residing in congregate settings during this pandemic.
3. As college campuses close, how will the Administration provide relief for young people, both on campus and commuters, who depend on institutions of higher education for housing and broadband access?
4. Young people transitioning from foster care to adulthood live on the edge, often without the safety net of family. As most of America's young adults are relying on family for housing, medical advice, and other basic needs, young people who aged out of foster care generally lack family privilege. What can the Administration do to help these highly vulnerable young adults navigate resources and access emergency funding?

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<sup>2</sup> [https://www.washingtonpost.com/local/social-issues/millions-of-us-grandparents-care-for-young-kids--and-are-high-risk-for-the-coronavirus/2020/03/18/6e91888c-6878-11ea-9923-57073adce27c\\_story.html?utm\\_campaign=wp\\_main&utm\\_medium=social&utm\\_source=twitter](https://www.washingtonpost.com/local/social-issues/millions-of-us-grandparents-care-for-young-kids--and-are-high-risk-for-the-coronavirus/2020/03/18/6e91888c-6878-11ea-9923-57073adce27c_story.html?utm_campaign=wp_main&utm_medium=social&utm_source=twitter)

5. What guidance has the Administration developed to ensure that state and tribal child welfare programs can honor birth parents' and other family members' visitation rights in light of the CDC's recommended guidance for social distancing?
  - a. How will the Administration ensure families have access to the right technology to assist in virtual visitation?
6. What efforts are in place to ensure states, territories and tribes have the resources to implement their health oversight plans to ensure that youth in foster care are up-to-date on their well visits and vaccinations and are able to access behavioral and mental health services?
7. Please detail the Administration's guidance for protecting the health of pregnant and parenting youth in out-of-home care.

#### Child Welfare Workforce

1. Please detail the Administration's plan to ensure states and tribes have the workforce and resources necessary to respond to the needs of families and children during this pandemic and its aftermath.
2. What does the Administration plan to do to support workforce training and development of appropriate protocols for provision of care during the COVID-19 pandemic?

#### Kinship Caregivers

1. Please share the Administration's guidance for elderly relatives and immunocompromised relatives that ensures they have access to support services, quality health care, transportation, food, and other essential materials, to prevent children from entering non-relative foster homes or group foster care.
2. Please describe how the Administration will address access to emergency and accrued sick leave that reflects the diversity of families and includes children in relative foster family homes.
3. Given widespread school closures, caregivers are now required to be home full-time. Please describe how the Administration will ensure kinship caregivers of children both inside and outside the foster care system have access to respite care or are reimbursed for child-care.

We look forward to your prompt response.

Sincerely,



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Sherrod Brown  
United States Senator



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Ron Wyden  
United States Senator

/s/ Thomas R. Carper

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Thomas R. Carper  
United States Senator



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Margaret Wood Hassan  
United States Senator

/s/ Sheldon Whitehouse

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Sheldon Whitehouse  
United States Senator

/s/ Benjamin L. Cardin

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Benjamin L. Cardin  
United States Senator

/s/ Robert P. Casey, Jr.

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Robert P. Casey Jr.  
United States Senator



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Robert Menendez  
United States Senator

/s/ Catherine Cortez Masto

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Catherine Cortez Masto  
United States Senator

/s/ Michael F. Bennet

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Michael F. Bennet  
United States Senator