

June 14, 2017  
Public Hearing  
Children and Youth Committee  
Subject;  
Grandparents Raising Grandchildren

Testimony Notes of Wayne County Resident  
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Good Morning Representative Watson and Members of the Children and Youth Committee;  
My name is Lotte Powell. I live in Honesdale and am a Grandparent Raising a Grandchild, a GRG.  
Our granddaughter Rosie is 20 months old and has special needs due to Chronic Failure to Thrive.  
My husband and I will be 82 and 68 respectively when our granddaughter enters college.

I am giving my testimony in hopes it will help this committee better understand the depth and expanse we grandparents face in raising our grandchildren, in the hopes you can craft working solutions. This Committee must find a way to make the system proactive instead of reactive. You must find a way to help us open doors for these children. You must find a way to prevent a new poverty group that is in your midst, still unrecognized.

**I. How we became Grandparents Raising Grandchildren**

**A. Birth of our Granddaughter on 10/12/15**

1. Birth Certificate
  - a. Devoid of Father
  - b. Hospital Social Worker
    1. Explained need of paternity for welfare benefits
    2. Acknowledgement of Paternity Form left with Unwed Teenage Mother
2. Mother Marries ex-con February 22, 2017.  
Note new husband was released on Jan 14, 2017, and is 17 years older.
  - a. Vital Records
    1. Acknowledgement of Paternity Filed by mom and spouse.  
**ADOPTION PROCEDURE IS HEREBY SUBVERTED.  
CHILD IS PUT IN IMMEDIATE DANGER!**
    2. New Paternity issued- not listed as Putative.  
***This status is unavailable for Vital Records to denote.***

**B. Crossing State Lines into NY**

1. Family moved to NY, March 15, 2017, fully dependent on welfare.
  - a. Public Housing was in place.
  - b. Food Stamps were delayed.
  - c. Medical Coverage was delayed.
  - d. WIC was not implemented.
2. Child Protective Services became involved

- a. May, 2016 Initial Contact to NY for Child Endangerment, no food.
  - b. June, 2016 Follow-up contact with pictures of emaciated child.
  - c. Sept., 2016 Doctor reported **Chronic Failure to Thrive**.
  - d. NY CPS did not remove child. Stalling tactics were implemented.
3. Our Family Court Journey
- a. Filed for Guardianship with NY Family Court, Sept 28, 2016.
  - b. February 2, 2017, pre trial intervention involving 6 attorneys resulted in the Court assigning legal representation to the child.
  - c. February 8, 2017, NY Family Court hears the matter.
    1. Judge determines step-father has no paternal rights, as granted on PA Birth Certificate.
    2. We are issued Temporary Guardianship for child's safety, learning NY CPS had investigated and recommended the child be removed but they took no action.
    3. No child support was ordered.

**C. Inside PA**

1. Compass
  - a. Applied for all available services.
    1. Food Stamps - based on family income, **not child only**.  
Family met gross income but not net income.  
Penalized for being responsible; No mortgage or car loans.
    2. TANIF - Based on child income only, child support is a must!  
Denied; No parental child support in place.  
Paternity not established. Note: Birth record is an obstacle.
    3. Cash Assistance - Based on Family income.  
Denied; Do not meet net income.
    4. Medical - No income restraints.  
Medical Assistance issued.  
CHIP was authorized.  
Denied Medicaid; failure of NY CPS to put into Foster Care.
    5. Early Intervention - Qualified and Receiving.
    6. Early Head Start - Family income based  
Qualified on additional factors; teenage birth mother, etc.
    7. W.I.C. - Qualified; receiving
      - .26 cents per day for toddler's fresh fruits & veggies
      - 2 glasses of milk per day
      - Less than 1 egg every 2 days, 1 dozen per month
      - ¼ glass of juice per day
      - 2 ½ oz dry cereal per day
      - 1 slice of bread per day
      - 2 oz beans per day
      - 16 oz of chemical based Pedia Sure for Chronic Failure to Thrive.
2. Children and Youth
  - a. Turned down by CYS to intervene on child's behalf from out of state.  
This was a way for CYS to dodge taking on a new and complex case.

- b. February 14, 2017, NY CPS referred file to PA.  
PA CYS goal; to assist in locating benefits only.  
***Not a Foster Care case.***  
***No access to Grandfamilies Guardianship Program.***
  3. Legal
    - a. Permanent Guardianship was issued May 16, 2017, in NY.
    - b. Birth Father
      1. Established April 28, 2017, by Court Order via DNA testing.
        - Unable to support child.
        - Has no interest in child.
        - Signed consent for adoption.
    - c. Adoption
      1. Paternal Consent Papers on file.
      2. Waiting for 6 months abandonment time to complete.
        - Total legal costs for Guardianship exceed \$4,000.
        - Adoption costs have yet to be determined.
        - Retirement reserves are at ZERO dollars.
        - Our annual income is \$26,151.

NOTE: We also Legal Guardians of and support my mom with Alzheimer's. She is 91.

## II. **GRG Community Challenges**

First we need to be accurately recognition. Current statistics only reflect those cases that are known and documented. With the current drug epidemic alone, this group of unknowns is skyrocketing. That does not include those whom the 'system' has betrayed.

### A. Department of Children and Youth

1. Trust issues exist with the public.
  - a. We are ***NOT*** received as Credible Advocates.
  - b. There is great fear of losing our children to Foster Care.
  - c. Many have been betrayed by the system and / or caseworker.
    1. Communication with families is stifled.
      - There are disclosure constraints on CYS workers.
      - CYS is required to respect parental requests, even when they are the ones who have endangered the child.
    2. Current System Requirements
      - Only minimum services must be rendered, to avoid FC.
      - Pressure on workers from within to lower case load.
      - Wait it out as long as possible till family steps in.
      - RESULTS; No funding for the most vulnerable ages.
2. No Support outside of Foster Care.
  - a. Abandoned and Court Appointed Children.
    1. These children are not considered endangered.
      - No access to medical care.
      - No access to education.
      - No one to advocate.

2. Families are not provided a voice to engage essential services.

- No access to legal aid.

**B. Health and Human Services.**

1. There is limited access to Compass benefits for legal and financial reasons.
  - a. Food Stamps
  - b. Medical Assistance
  - c. CHIP
  - d. TANIF
  - e. Early Intervention
  - f. Early Head Start / Head Start
  - g. Mental Health Services
  - h. Day Care Programs
  - i. School Meals
  - j. Autism Services
  - k. W.I.C.
2. Families of these children have no access to special services.
  - a. Respite Care Resources.
  - B. Suffer from Caregiver Neglect.

**C. Area Agency on Aging offers no support**

1. No Care Coordination - Care Coordinators necessary
  - a. Geriatric Needs
  - b. Pediatric Needs

**III. Potential Solutions**

We are asking for a hand up, not a hand out.

Stop penalizing us for living responsible lives.

Stop making us a new poverty group.

Statistics are inaccurate. They do not reflect abandoned or court order situations.

**A. Inside Legislation**

1. Push our State Senators to Amend the RAISE Caregivers Act to include Grandfamilies. S. 1028, Calendar No 78
2. Revamp Title IV-E GAP to provide families with Subsidized Permanent Legal Custodianship while family is undergoing the Licensure process.
3. Update the new System of Care to include Department of Aging and Department of Education for GRG families.
4. Create program for GRG on par with current PA Caregiver Advise Record and Enable Act, CARE Act, 2016 Act 20 of the General Assembly.  
PURPOSE: To access medical care, access their monies for care, apply for benefits on their behalf, and to enroll in schools.
  - a. Implement through Children and Youth as watchdog.
  - b. Key element; CYS to immediately refer case to Legal Aid so Court can enable GRG to provide necessary care for minor.
5. Revise recording of Acknowledgement of Paternity form in Vital Records.
  - a. Make provision for Putative Father on Birth Certificate.
  - b. Congruently defining Putative Rights on Birth Certificate.

6. Revise all COMPASS programs accessed for care of a GRG child to be based on minor's income solely.
  7. Update Title IV-E Waiver to better cover GRG needs.
  8. Pursue AARP to establish a GRG program for PA.
  9. Encourage CASA Program be established in all PA counties, 27 exist.
- B. Create Trust within the Community.**
1. Tear Down Walls to Existing Programs
    - a. Base program qualifications on recipients age.
    - b. Base program qualifications on recipients income.
  2. Remove Foster Care Requirement for subsidized Grandfamilies Program. (Currently children must be in state foster care first for 6 months.)
    - a. Allow CYS to assist grandfamilies that may not be in foster care.
    - b. Allow grandfamilies resources of CYS.
  3. Provide Financial Caseworker.
    - a. To better Identify & Connect Families to available resources, both public and private, relieving some social burden.
    - b. To Educate Caregiver how to better use resources, improving quality of life. ie; education
    - c. To act as a resource for Legislators when Craft Working Solutions.
  4. Treat Caregivers With Respect.
    - a. Provide publication The Grandparents' Guide to Custody & Visitation in Pennsylvania when working with GRG families.
    - a. Listen to GRG family as credible. We are the ones that see where and when CYS case workers can't.
    - b. Recognize family needs for those who fill the gap of both the young and the old.
    - c. Open Area Aging Offices for use by the GRG community.
    - d. Extend more aging programs to include GRG dependents.
    - e. Respond positively to local caregiver groups.  
Don't reply with internet links or not be available for evening meetings. You need to hear us and we need to hear you.
    - f. Authorize after hours availability for GRG Community Needs throughout State Agencies.
  5. Regional Community Forums should be held to better hear from the public.
  6. Reach out to Community Foundations to assist awareness of GRG needs.
- C. Legal System**
1. Base legal aid qualification on child's resources and situation only.
  2. Immediately provide CASA worker for each child that is abandoned or appointed an emergency guardian.

#### **IV Conclusion**

Quote from Dept. of Education website for Family and Consumer Science Education;  
 "The economic, social, and political well-being of our state depends on the well-being of Pennsylvania's families. The family is responsible for nurturing its members. Family experiences, to a great extent, determine who a person is and what they become.

- A. If GRG Needs are left Unaddressed**
1. Legislators will be burdening PA with a **new poverty group**.

2. Legislators will Enabled Prejudice toward system outcasts, the abandoned and victimized, the very old and the very young, those most vulnerable.