

Legislation Text

File #: 220808, **Version:** 0

September 28, 2022

TO THE PRESIDENT AND MEMBERS OF THE COUNCIL OF THE CITY OF PHILADELPHIA:

I am hereby returning without my signature Bill No. 220239, which was passed by Council at its session on September 15, 2022. This bill amends Chapter 21-1800 of The Philadelphia Code, entitled "Foster Care," to add new provisions related to screening and application for benefits for foster youth; limiting the use of Social Security, Supplemental Security Income, Veterans or other various benefits; and providing notice to the foster child for certain actions taken with respect to Social Security and other benefits.

My Administration is committed to making positive change for the children and families that we serve, my Administration makes the following commitments:

- 1) The parents and child's attorney will be notified timely of the collection of a benefit.
- 2) Bank accounts for children/youth who are currently receiving Survivor Benefits will be established.
- 3) The benefits are not to be used for the costs of care for the child.
- 4) The Administration will engage in on-going record keeping and reporting

My Administration has significant concerns about the requirement to screen for a disability within sixty days all youth who enter placement. While we ensure that all children upon entering placement are seen by a pediatrician to identify and treat any physical and mental health conditions, the additional screening required by this bill can lead to a misdiagnosis. Many children and youth who enter placement display some level of emotional or behavioral distress due to the trauma of being removed from their family, which is easily mistaken for a mental illness/disability. Additionally, research has shown that children of color in the child welfare system are already vulnerable to misdiagnosis, overdiagnosis, and excessive intervention. Such misdiagnosis can lead to inappropriate treatment, inappropriate educational programming, and inappropriate placement, which can follow them for the rest of their lives.

My Administration feels that this approach is appropriate to meet the needs of children and families, without exacerbating the risk of a potential misdiagnosis and the negative ramifications that can follow. For these reasons, I am returning Bill No. 220239, without my signature.

Respectfully,
JAMES F. KENNEY
Mayor

