

# STATE OF INDIANA

## EXECUTIVE DEPARTMENT INDIANAPOLIS

EXECUTIVE ORDER \_\_\_\_\_ 26-12 \_\_\_\_\_

**FOR: DIRECTING THE INDIANA DEPARTMENT OF CHILD SERVICES TO PRESERVE FEDERAL EARNED BENEFITS FOR ELIGIBLE YOUTH IN STATE CARE**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

**WHEREAS**, Indiana is committed to fostering the future for American children and families;

**WHEREAS**, Indiana seeks to strengthen trust, transparency, and fairness within the child welfare system by clearly informing young people and families about federal survivors' benefits, rights, and financial decisions, and by adopting practices that center dignity, opportunity, and youth voice;

**WHEREAS**, Indiana is committed to honoring young people's earned federal survivors' benefits by ensuring that these funds will no longer be diverted for reimbursement to the state. Indiana will restore trust and guarantee that benefits meant for a child actually support that child's stability, healing, and long-term well-being;

**WHEREAS**, some children in the custody of the Department of Child Services are eligible to receive earned federal survivors' benefits administered by the Social Security Administration (SSA), the Department of Veterans Affairs (VA), or the Railroad Retirement Board (RRB);

**WHEREAS**, these earned survivors' federal benefits are the legal property of the child, not the State;

**WHEREAS**, it is in the best interest of children who are eligible for such federal survivors' benefits that those funds be conserved, used for unmet needs, and made available to them as they transition to adulthood;

**WHEREAS**, safeguarding federal survivors' benefits in savings or dedicated accounts, ensuring young people have resources available when they transition to adulthood. Hoosier children deserve financial security—particularly those who have lost a parent or are living with disabilities; and

**WHEREAS**, Indiana recognizes the growing national movement among states, counties, and cities to ensure that youth in foster care are not deprived of their earned federal benefits.

**NOW, THEREFORE, I, MIKE BRAUN**, by virtue of the authority vested in me as the Governor of the State of Indiana, do hereby order the following:

1. The Department of Child Services shall screen every child currently in care and every child entering care to determine whether the child is receiving or may be eligible for earned federal survivors' benefits administered by SSA, VA, or RRB.
2. DCS shall provide written notification to the child, the child's guardian ad litem (or legal representative), and the child's caseworker of any application for federal benefits, determination, appeal, or appellate decision.

3. DCS shall develop policies and procedures to identify a representative payee who is independent of DCS whenever possible and to comply with the fiduciary obligations as set out by SSA, VA, or RBB if DCS is serving as payee.
4. In managing the child's benefits, DCS shall select an account type that best preserves the funds and eligibility for other supports. Appropriate account types may include, but are not limited to, ABLE accounts, Personal Needs Accounts, or trust-style savings vehicles. For each account, DCS shall provide the child with an annual accounting detailing the use, conservation, and balance of those funds.
5. DCS shall not use any portion of a child's federal survivors' benefits to reimburse itself or any contractor for the cost of the child's care or maintenance while in custody.
6. DCS shall provide training to all relevant personnel concerning fiduciary obligations, proper use of representative payee status, and compliance with federal and state law regarding management of beneficiary funds.
7. DCS shall provide financial literacy education beginning no later than age 14, including instruction on budgeting, saving, and accessing conserved funds.
8. DCS shall promulgate rules and establish procedures for youth to request distribution of their funds while the youth remains in care.
9. Upon the youth's exit from the custody of the DCS, the balance of the conserved funds shall be released according to SSA, VA, RRB regulations.
10. This Executive Order shall take effect immediately. Agencies will be fully compliant with this Executive Order as soon as practicable.



**IN TESTIMONY WHEREOF,**

I, Mike Braun, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 13th day of May, 2026.



Mike Braun  
Governor of Indiana



ATTEST: Diego Morales  
Secretary of State