

GAO Highlights

Highlights of [GAO-22-104688](#), a report to the Chairman, Subcommittee on Worker and Family Support, Committee on Ways and Means, House of Representatives

Why GAO Did This Study

Studies suggest that LGBTQ+ youth are over-represented in foster care. Further, youth in foster care may not be placed with families who share their religious beliefs. GAO was asked to review related protections and supports for foster youth.

This report examines (1) state protections against discrimination on the basis of sexual orientation, gender identity, and religion in foster care; (2) promising practices for providing supportive care to LGBTQ+ youth and youth of various religious beliefs in foster care; and (3) challenges selected states reported facing in supporting LGBTQ+ identities and religious beliefs among foster youth, and how HHS assists states in supporting these youth.

To address these objectives, GAO surveyed child welfare agencies in 53 states and territories and interviewed officials and reviewed documentation in five states selected for their variation in reported discrimination protections, state child welfare framework, and region. GAO also conducted a literature review that included peer-reviewed studies by a range of experts, reviewed HHS documentation and relevant federal laws and regulations, and interviewed HHS officials.

What GAO Recommends

GAO is making two recommendations that ACF provide additional information to states on (1) data collection for LGBTQ+ foster youth and how youth's gender identity should inform placement decisions; and (2) supporting the religious beliefs of youth in foster care. HHS agreed with the recommendations.

View [GAO-22-104688](#). For more information, contact Kathryn A. Larin at (202) 512-7215 or larink@gao.gov.

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FOSTER CARE

Further Assistance from HHS Would be Helpful in Supporting Youth's LGBTQ+ Identities and Religious Beliefs

What GAO Found

A majority of all states had some protections from discrimination in place for youth in foster care on the basis of sexual orientation, gender identity, and religion as of February 2021, based on state survey responses that GAO corroborated. The sources of these protections ranged from state laws to child welfare agency policies or practices. Officials in several states indicated that their protections on the basis of sexual orientation and gender identity for youth and parents continue to evolve. While some states are expanding protections, other states are debating the appropriateness of certain services for LGBTQ+ youth.

Literature GAO reviewed and interviews with officials from five selected states and stakeholder groups highlighted several promising practices for supporting lesbian, gay, bisexual, transgender, queer or questioning (LGBTQ+) youth in foster care (see figure). Promising practices for supporting youth of various religious beliefs are generally limited to enabling youth to practice their beliefs.

Selected Promising Practices for Supporting LGBTQ+ Youth in Foster Care



Source: GAO review of literature and interviews with selected states and stakeholders. | [GAO-22-104688](#)

Selected states and stakeholders identified several challenges with supporting LGBTQ+ youth and the religious beliefs of youth in foster care, and information provided by the Department of Health and Human Services (HHS) to help states support youth does not fully address states' challenges. According to officials in selected states, one challenge with supporting LGBTQ+ youth is limited data on youth's sexual orientations and gender identities and difficulties collecting these data. Another challenge is providing appropriate placements for transgender youth.

HHS helps states support LGBTQ+ youth in foster care by funding research and providing information, according to officials from the Administration for Children and Families (ACF) within HHS. In March 2022, ACF also issued an Information Memorandum on LGBTQ+ youth, but it did not fully address states' challenges related to data collection and how youth's gender identity should inform placement decisions. Regarding youth's religious beliefs, selected states and stakeholders noted a lack of specific practices or services to support this aspect of youth identity, and identified challenges with recruiting foster families from religious minority groups. ACF officials said they do not provide assistance to states specifically related to supporting youth in foster care of various religious beliefs. Without providing information that specifically addresses challenges with supporting LGBTQ+ youth in foster care and the religious beliefs of youth in foster care, ACF will not have assurance that states are equipped to promote the wellbeing of these youth, as called for in HHS's strategic plan.