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Family First Prevention Services Act

Historic Child Welfare Reforms will Improve Outcomes for Vulnerable Children & Families

Stefanie Sprow, Children's Defense Fund



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“My child test”

Every child deserves a family

Families should get the help they need to safely
care for their child



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Background

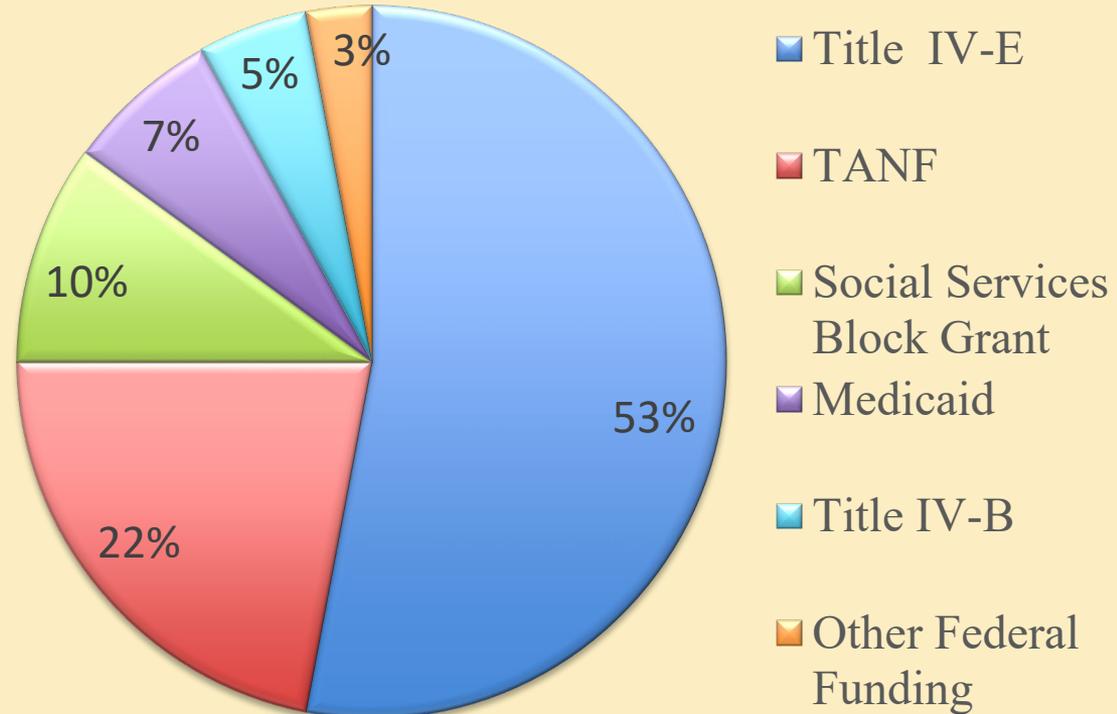
Why do we need Family First?



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Background: Financing 101

- Title IV-E biggest pot of federal child welfare money
- Guaranteed funding
- Majority of federal funds only available for foster care
- Need funds for upfront prevention services

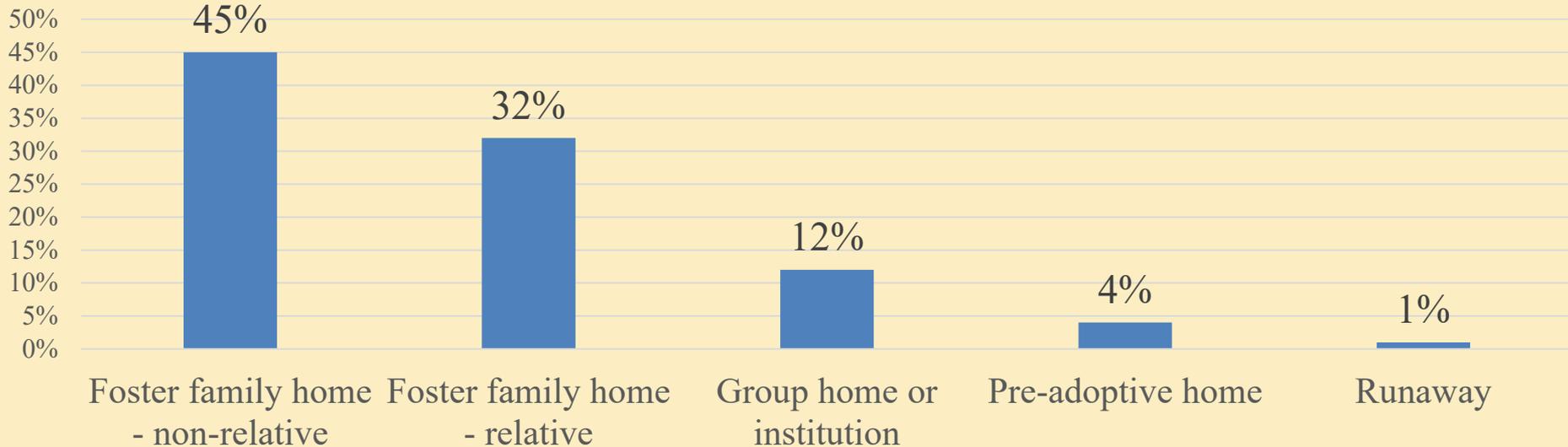




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Background: Too many children in group care

Foster Care Placement Settings, FY2016



Source: KIDS COUNT Data Center, Annie E. Casey Foundation



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Background: Number of children in foster care is growing

Number of Children in Foster Care, End of Fiscal Year



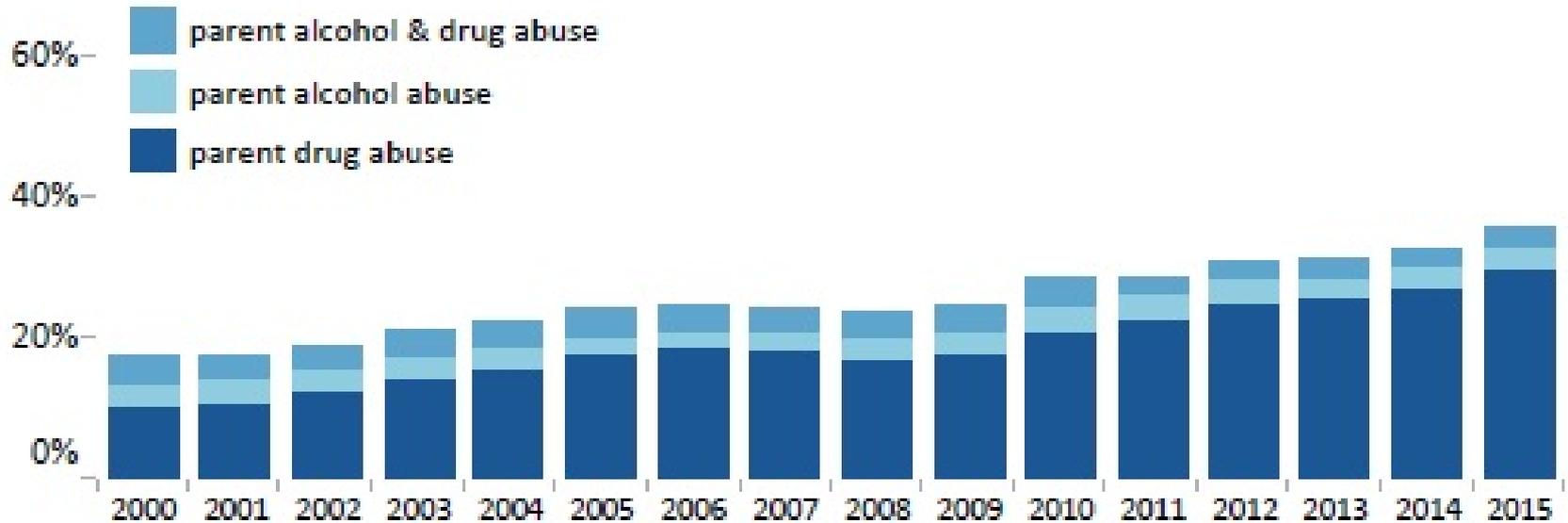
Source: KIDS COUNT Data Center, Annie E. Casey Foundation



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Background: Opioid epidemic devastating families & overwhelming child welfare systems

**% of children entering care with parental substance abuse as a removal reason
(alone or in combination with other reasons)**

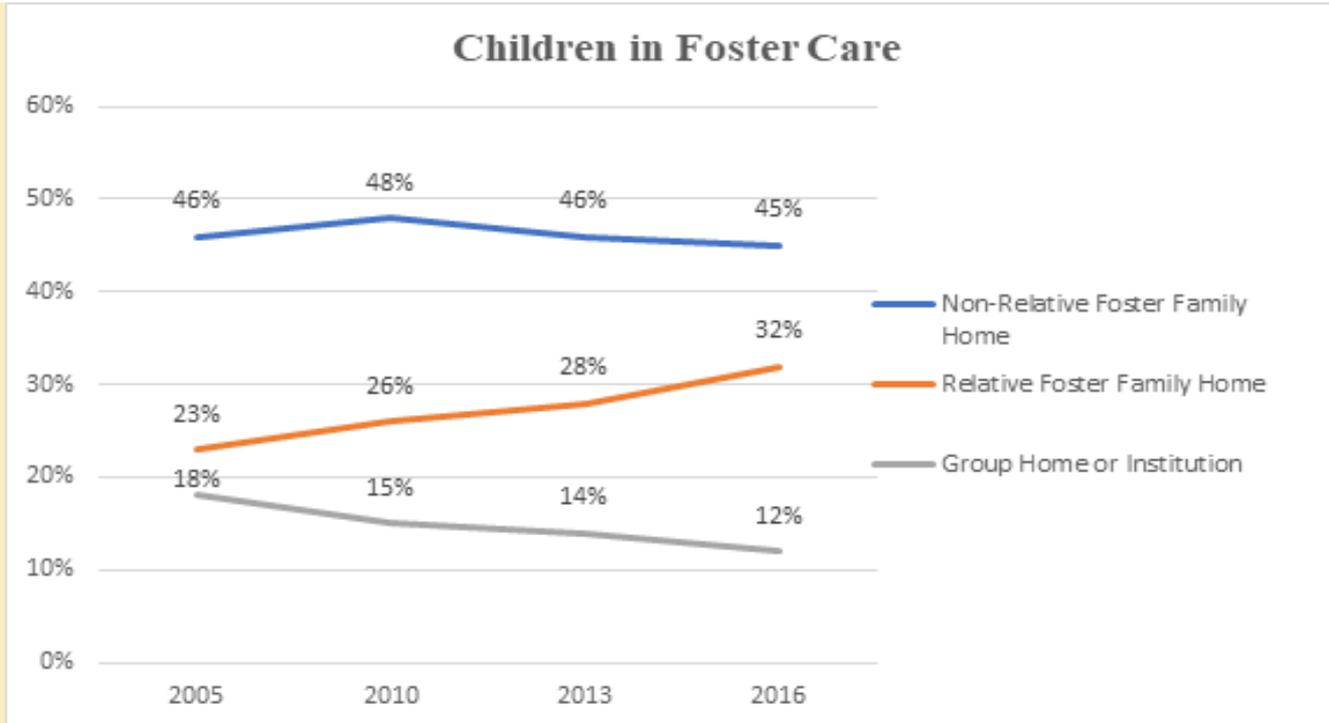


Source: Adoption and Foster Care Reporting System (AFCARS) FY2016



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Background: Child welfare relying more on kinship families



Source: Adoption and Foster Care Reporting System (AFCARS) FY2016



Family First Prevention Services Act

enacted February 9, 2018



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Goals of Family First

Five major goals:

1. Keep children safely with family with prevention services and treatment
2. Promote the involvement of kin
3. Reduce the overreliance on group care
4. Help address the opioid crisis
5. Support youth transitioning from care



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Goal 1: Prevention Services & Treatment

Beginning October 1, 2019, Title IV-E funds available for eligible services to prevent entry/reentry into foster care:

- Eligibility:
 - “Candidates” for foster care
 - Including children at risk of re-entry foster care (e.g. children whose adoption or guardianship is at risk of disruption/dissolution)
 - Parents
 - Relative caregivers
 - Pregnant or parenting foster youth
- Duration:
 - 12 months (no lifetime limit)



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Goal 1: Prevention Services & Treatment (Continued)

Prevention Services and Programs

- Types of eligible services and programs:
 - **Mental health prevention and treatment**
 - **Substance abuse prevention and treatment**
 - **In-home parent skill-based programs** (parent skills training, parent education, home visiting, individual and family therapy)



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Goal 1: Prevention Services & Treatment (Continued)

Prevention Services and Programs

- Trauma-informed
- Approved evidence-based programs: promising, supported, well-supported
- HHS to release pre-approved list of services and programs this fall
- HHS to provide technical assistance, best practices and a clearinghouse
- *No income-test! All children and families eligible, regardless of income*



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Goal 1: Prevention Services & Treatment (Continued)

Prevention Services and Programs – Other Key Details:

- Maintenance of Effort
- Tribes and U.S. territories eligible
- Performance measures and data collection
- Reimbursement rates
 - FY2020-FY2026 – 50% federal
 - FY2027 and beyond – FMAP



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Goal 1: Prevention Services & Treatment (Continued)

Title IV-E funds available for children in residential family-based substance abuse treatment with a parent:

- 12 months
- Trauma-informed
- All children eligible, regardless of income
- *Effective October 1, 2018!*



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Goal 1: Prevention Services & Treatment (Continued)

All of the new reforms in prevention services and programs are
optional....



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Goal 2: Promote the Involvement of Kin

- Kin eligible for the new prevention services and treatment
 - Prevention services also for adoption and guardianships at risk of disruption or dissolution
- Improving licensing standards for relative foster homes
 - Model licensing standards to be issued by HHS October 1, 2018*
 - States notify HHS how they compare to the model standards by April 1, 2019*



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Goal 2: Promote the Involvement of Kin (Continued)

- Title IV-E funding for certain Kinship Navigator Programs
 - Need to be evidence-based (i.e. promising, supported, well-supported)
 - *No income-test! All children and families eligible, regardless of income*
 - Open to any kinship families, do not need to be “candidate for foster care”
 - Statewide or focused within localities
 - Effective October 1, 2018
 - *****\$20 million additional funds for KNPs in omnibus passed after Family First! Another \$20 million for FY2019! NO STATE MATCH!***



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Goal 3: Reduce the Overreliance on Group Care

Beginning **October 1, 2019**, states need to safely reduce the inappropriate use of group care

States can delay this requirement up to two years (October 1, 2021), but then their forfeit the prevention funds



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Goal 3: Reduce the Overreliance on Group Care (Continued)

After 2 weeks of entering foster care, Title IV-E maintenance payments will *only* be available for certain settings:

- Foster family homes
- Placements for pregnant or parenting youth
- Supervised independent living for youth 18+
- Specialized placements for victims and those at risk of sex trafficking
- Children with parent(s) in residential treatment facility for substance abuse
- Qualified Residential Treatment Programs (QRTP)

Title IV-E Administrative Costs still available for group care



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Goal 3: Reduce the Overreliance on Group Care (Continued)

Qualified Residential Treatment Programs (QRTP)

- Trauma-informed treatment model
- For children with serious emotional or behavioral disorders or disturbances
- Has a registered or licensed nursing and other licensed clinical staff onsite, consistent with the QRTP's treatment model
- Facilitates outreach to the child's family and their participation in the child's treatment program
- Provides discharge planning and family-based aftercare supports for at least 6 months after the child is discharged
- Licensed and accredited



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Goal 3: Reduce the Overreliance on Group Care (Continued)

Other key details for QRTPs:

- Assessment to determine appropriateness of placement (30 days)
 - Specific protocols for when it is determined that the child should or should not be placed in a QRTP
- Protocols to prevent inappropriate diagnosis
- Training courts on these new requirements
- Assuring no impact on the juvenile justice system
- Background checks for adults working in group care settings
- Data collected on children in group care



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Goal 4: Help Address the Opioid Crisis

- Improving the Regional Partnership Grants (*Effective Oct 1, 2018!*)
- New Title IV-E reimbursement for substance abuse prevention and treatment services
- Title IV-E foster care payments for children in family residential treatment programs (*Effective Oct 1, 2018!*)



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Goal 5: Support Youth Transitioning from Foster Care

Improving the John H. Chafee Foster Care Independence Program
(Effective NOW!)

- Extends Chafee services to age 23 (previously 18-21)
 - *Only applies to states that extend foster care to age 21
- Extends eligibility for Education and Training Vouchers to age 26 (previously 23)
- Ensures youth provided official documentation to prove they were in foster care – needed for accessing Medicaid to age 26!



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And *LOTS* more!

- Improves interstate placements with new electronic system (all states by FY2028)
- Expands time limits on reunification services (Oct 1, 2018)
- State plans to prevent child abuse and neglect fatalities (Oct 1, 2018)
- New competitive grants to recruiting and retaining foster parents (\$8 million between FY2018 - FY2022)
- Extended several expiring programs (FY2017 - FY2021)
- Reauthorizes Adoption and Guardianship Incentive Program
- Delays the Title IV-E Adoption Assistance phase-in for children under two



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Overview of Federal Changes

Before Family First:

- Most federal child welfare funds for foster care
- Services only for child
- Income test to qualify for federal funds
- No money for children placed with parent in residential treatment
- Money for children in group care with little oversight on placement
- Many barriers to licensure for kin

Family First:

- New federal child welfare funds for prevention
- Prevention funds for child, parent and kinship caregivers
- No income test
- 12-months of money for such placements
- Restricts money for some group care if not appropriate & does not meet new standards
- Helps states identify barriers and best models for licensing kin



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Family First Prevention Services Act

Should we continue the status quo
or seize the new opportunities under Family First?



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Learn More!

For more information on the Family First Prevention Services Act, visit:

<https://www.childrensdefense.org/policy/policy-priorities/child-welfare/family-first/>

- Two-page summary
- Detailed summary
- Implementation timeline
- Law language
- Final enacted provisions compared to earlier House-approved language & prior law (Drafted by CRS)
- Broad support for the original version of the Family First Prevention Services Act passed by the House in June 2016



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Questions?



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For More Information

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<https://www.childrensdefense.org/policy/policy-priorities/child-welfare/family-first/>