Family First Prevention Services Act
Historic Child Welfare Reforms will Improve Outcomes for Vulnerable Children & Families

Stefanie Sprow, Children’s Defense Fund
“My child test”

Every child deserves a family

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

Why do we need Family First?
• 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

Background: Too many children in group care

Foster Care Placement Settings, FY2016

- Foster family home - non-relative: 45%
- Foster family home - relative: 32%
- Group home or institution: 12%
- Pre-adoptive home: 4%
- Runaway: 1%

Source: KIDS COUNT Data Center, Annie E. Casey Foundation
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
Background: Opioid epidemic devastating families & overwhelming child welfare systems

Source: Adoption and Foster Care Reporting System (AFCARS) FY2016
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
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
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)
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)
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*
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
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!*
All of the new reforms in prevention services and programs are optional....
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*
• 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!**
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**
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
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
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
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!)*
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!
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
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
Family First Prevention Services Act

Should we continue the status quo or seize the new opportunities under Family First?
For more information on the Family First Prevention Services Act, visit:

- 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
Questions?
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