



The Family First Prevention Services Act (P.L. 115-123)

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SAFE STRONG SUPPORTIVE

casey family programs

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safe children | strong families | supportive communities

Casey Family Programs

- The nation's largest operating foundation focused on safely reducing the need for foster care and building Communities of Hope for children & families.
- We work to influence long-lasting improvements to the safety and success of children, families and the communities where they live.
 - We operate in all 50 states, DC, Puerto Rico, and the Virgin Islands
 - We have direct agreements with 16 tribes
 - We operate 9 field offices providing direct services to youth in care (2 in Texas – San Antonio and Austin)

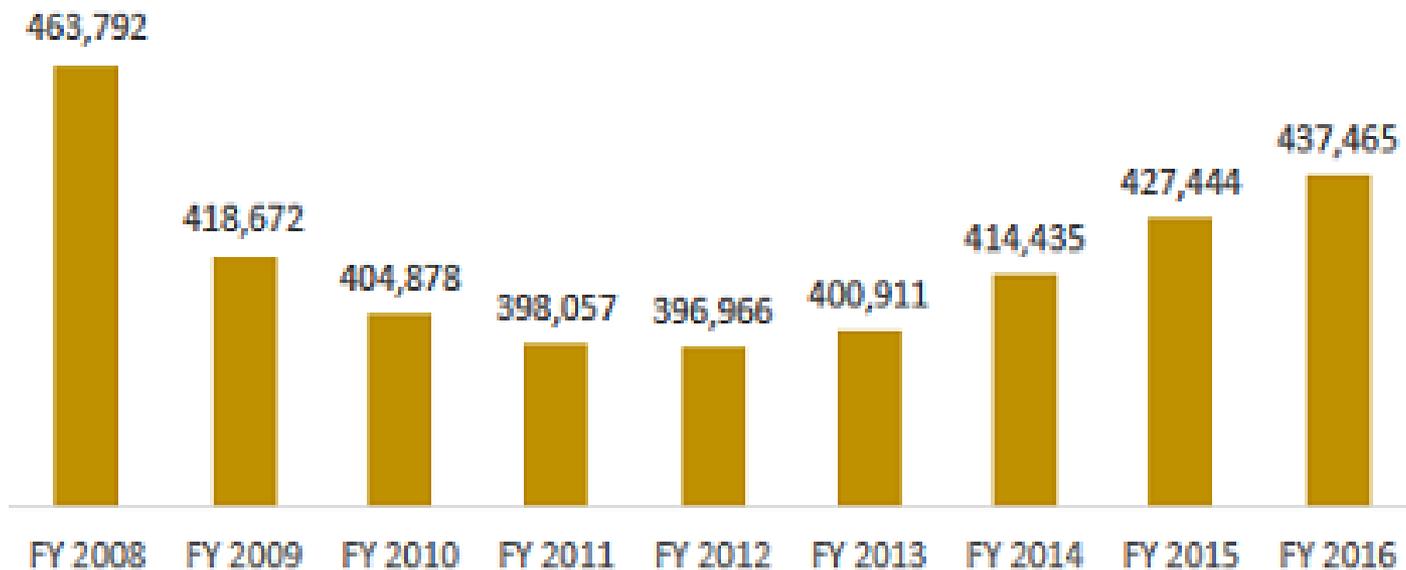
Casey Family Programs

We believe:

- Every child should grow up in a safe, supportive and permanent family
- Every family should have access to the support of a strong and caring community
- Every community should determine how to create hope and opportunities for its children and families in need
- Everyone has a role to play in building communities of hope for all children

After years of decline, the number of children in foster care has steadily risen in recent years.

Number in foster care on September 30 of the FY

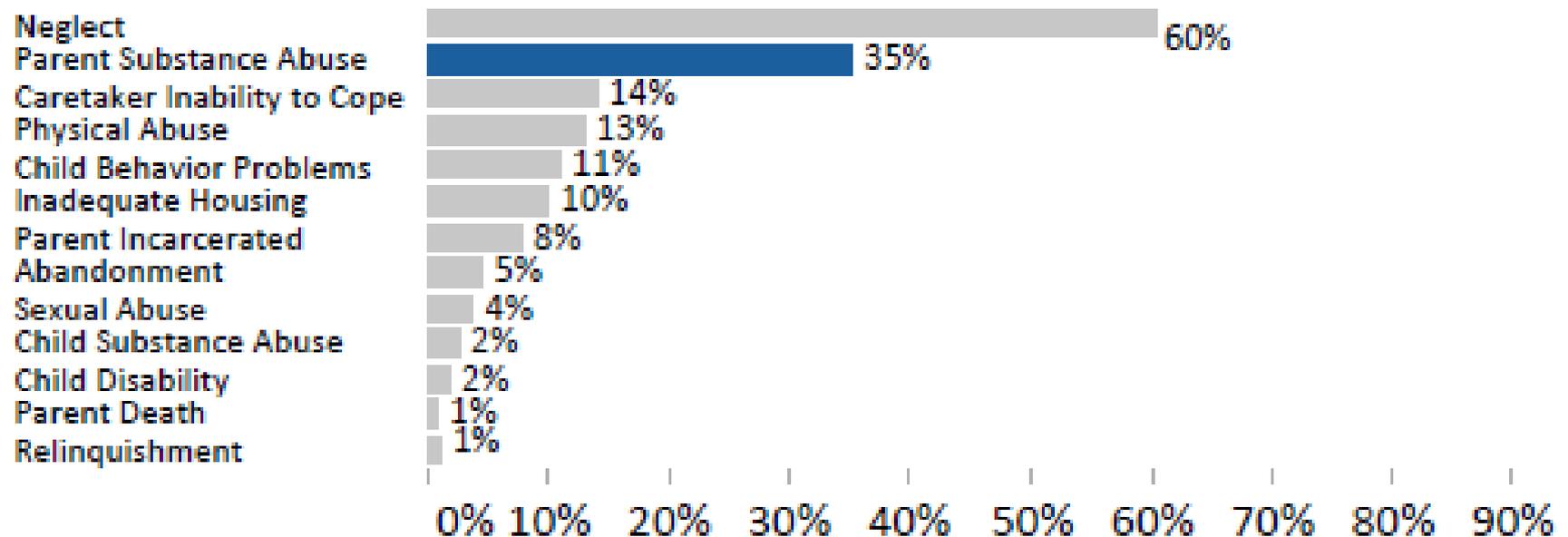


SOURCE: Adoption and Foster Care Analysis and Reporting System (AFCARS)

Children enter foster care overwhelmingly due to neglect

% of children entering care for each removal reason*

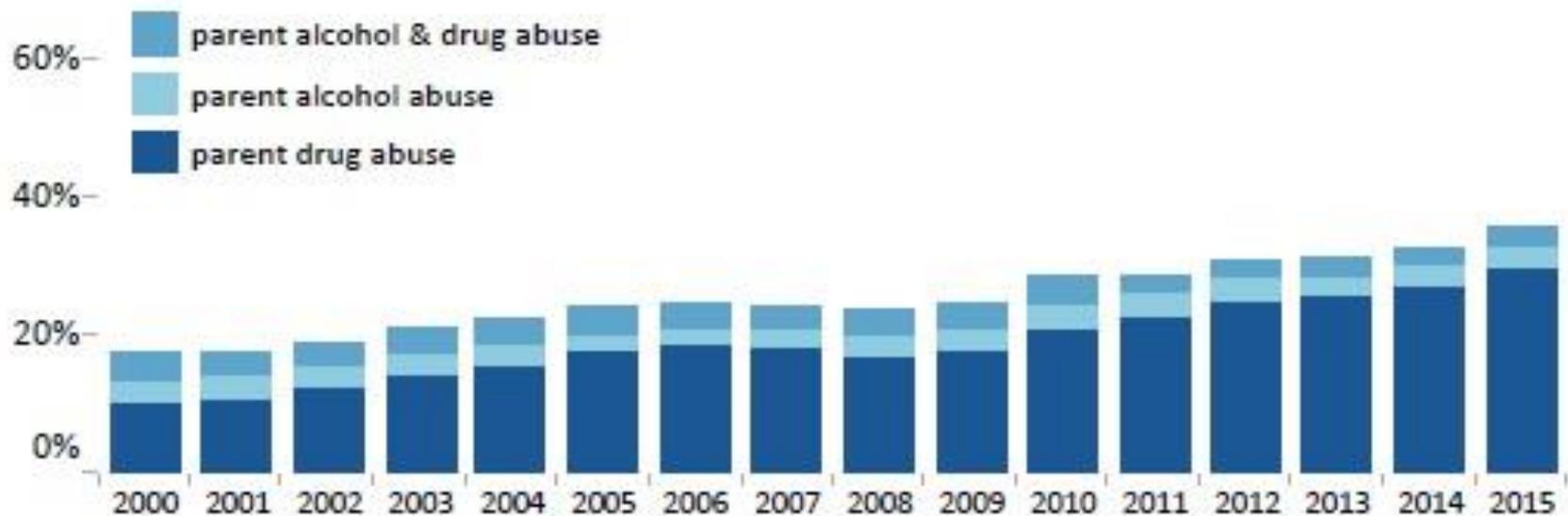
(note: multiple reasons may be selected for a single child, Federal Fiscal Year 2015)



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

Nationally, the percentage of children entering foster care due to parental substance use has risen

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

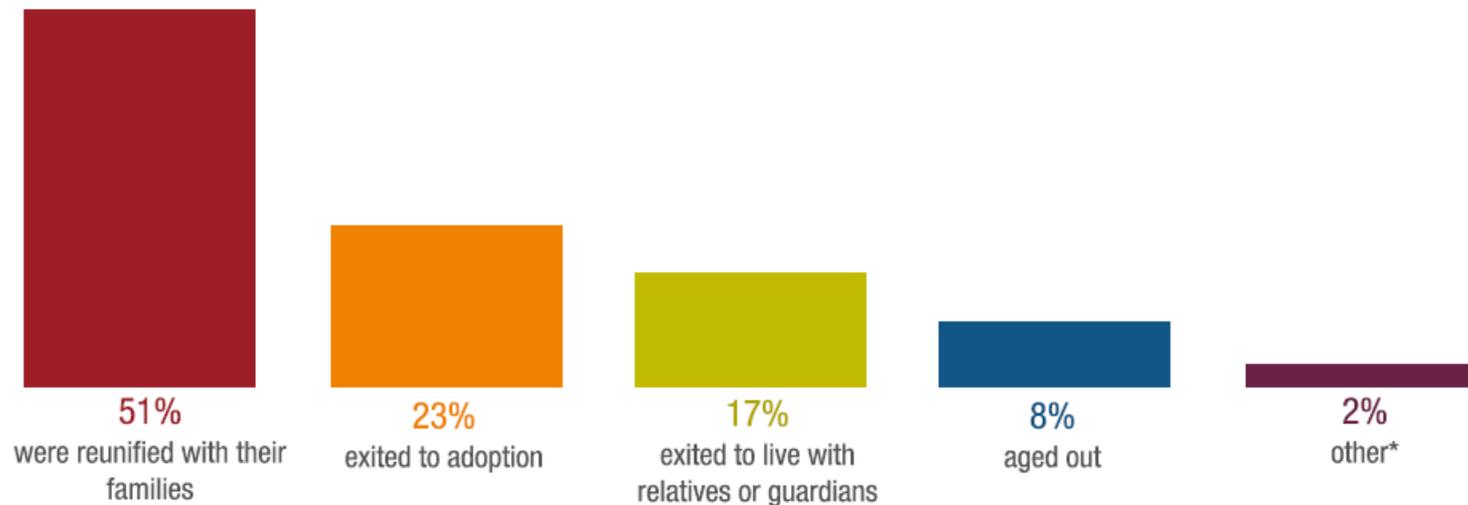


Source: Adoption and Foster Care Reporting System (AFCARS) FY2016

Children Exiting Foster Care

What happens to children who end up in foster care? Most are safely reunited with their own parent or extended family. A significant number are adopted. Communities across America have shown that they can help more children to grow up in safe, stable families by providing appropriate and timely services after they return home.

Among children who exited foster care in 2016:



*"Other" includes transferred to another agency, ran away or died.
Numbers may not equal 100% due to rounding.

Data source: AFCARS Report #24

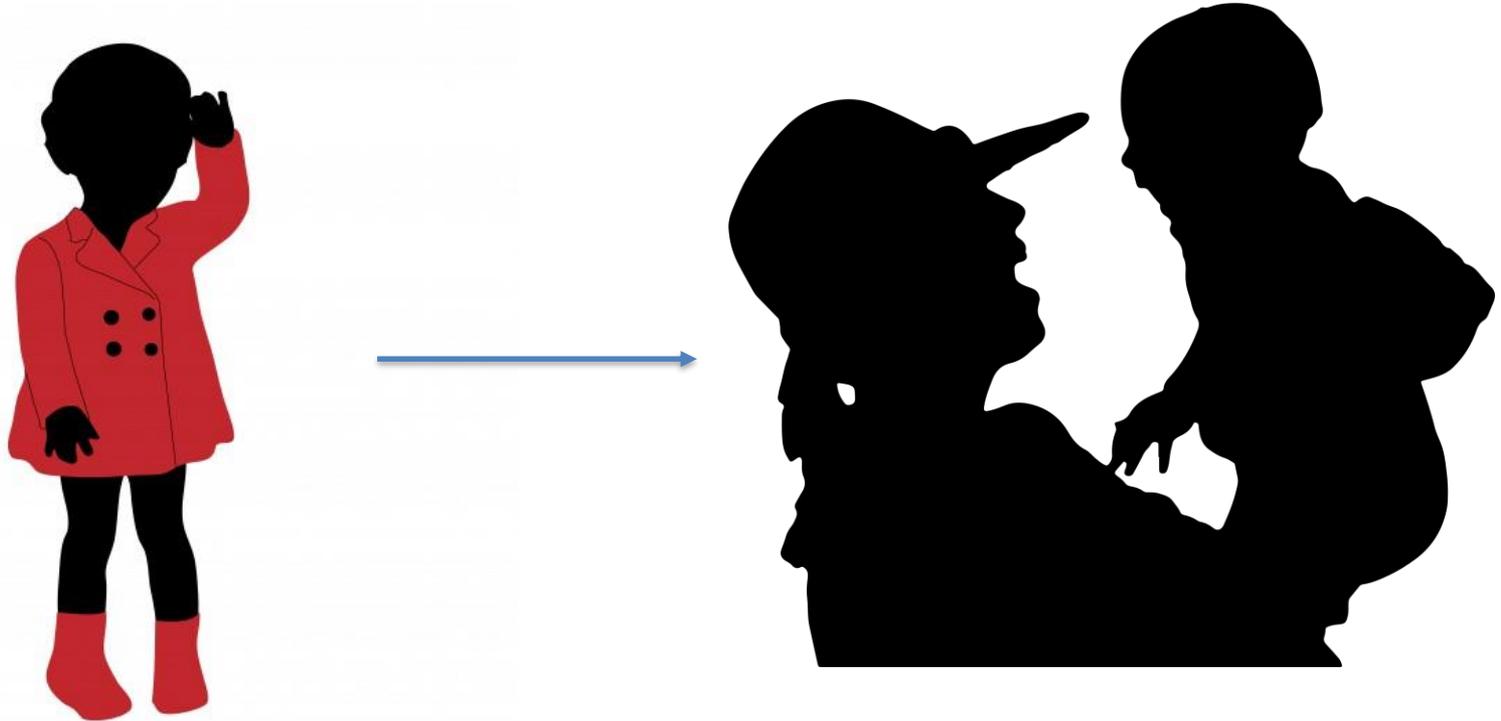
Child Welfare: What do we know is best for children and families?

- The goal in child welfare should be to ensure the safety, permanency and well-being of children ***and their families.***
- We know to support child well-being, it is important to intervene as early as possible.
- We know that the act of removing children from their families and homes creates emotional distress and trauma that should be avoided whenever possible.
- We know some children can be better served by remaining safely at home while their parents receive the community services and support they need.

Family First Prevention Services Act of 2018

- Groundbreaking law that will provide communities across America the opportunity to strengthen families, keep children safe and build hope in their lives.
- Culmination of years of discussion among key Congressional leaders who share a vision and are passionate about keeping children safely with their families.
 - Over 500 organizations supported this Act, including AAP

Family First Prevention Services Act of 2018



Family-centered policies that will help pave the way to allow more children to safely be served in their homes, families, and communities.

New Funding for Prevention Activities

- Allows states to receive open-ended entitlement (Title IV-E) funding for evidence-based prevention services

Who: 1) Children at imminent risk of placement in foster care and their parents or kinship caregivers, or 2) pregnant and parenting youth in foster care are eligible.

- No income test for eligibility
- Defines children who are “candidates for foster care” as those who can remain safely at home or in a kinship placement with receipt of services or programs

New Funding for Prevention Activities

- Allows states to receive open-ended entitlement (Title IV-E) funding for evidence-based prevention services

What: Allows the following evidence-base services to be reimbursed

- Mental health prevention and treatment services provided by a qualified clinician for not more than a 12 month period.
- Substance abuse prevention and treatment services provided by a qualified clinician for not more than a 12 month period.
- In-home parent skill-based programs that include parenting skills training, parent education and individual and family counseling for not more than a 12 month period.

There is no limit on how many times a child and family can receive prevention services.

New Funding for Prevention Activities

- Requires prevention services and programs to be ***promising, supported, or well-supported***, to qualify for reimbursement.
 - Requires the Secretary of HHS to issue guidance to states regarding the practices criteria required for services or programs under this section by Oct. 1, 2018. This guidance must include a pre-approved list of services and programs that satisfy the requirements.
- Requires a state to submit a prevention and services program plan as part of the state's Title IV-E plan including a number of components that include a description of how the state will administer the program, determine eligibility, train caseworkers and numerous other items.

New Funding for Prevention Activities

- Reimbursement rates for prevention activities are:
 - Beginning October 1, 2019 through September 30, 2026, FFP is 50%
 - Beginning October 1, 2026, FFP is the state's FMAP rate.
 - At least 50% of the spending in every fiscal year must be for well-supported practices.
- States who opt to administer a prevention program also may claim Title IV-E reimbursement for administrative costs at 50% and training costs at 50%.
 - As with the prevention services, these costs are “delinked” from AFDC so not related to the income eligibility of the child or their family.

New Funding for Prevention Activities

- ***When:*** Title IV-E reimbursement for eligible prevention services begins on October 1, 2019.
- ***Non-Supplantation:*** New federal funds for prevention services are intended to augment, not supplant, state funding for prevention services.
- ***Maintenance of Effort:*** MOE will be set at FY2014 spending for these same prevention services for candidates for foster care.

Who is a “Candidate for Foster Care?”

- U.S. House Committee Report 114-628 includes the following to provide further information on Congressional intent

....Under the eligibility criteria for new prevention services in title IV-E, the Committee recognized that children may come to the attention of the child welfare system and be considered at imminent risk of entry into foster care in a wide variety of scenarios. Accordingly, the Committee intentionally did not attempt to provide an exhaustive list of the living situations and caregiver dynamics that would trigger eligibility for the evidence-based mental health, substance abuse, and parent skill-building services made available under this bill.

Who is a “Candidate for Foster Care?”

“The Committee believes the intent of this legislation is for states to use these new matching funds in the panoply of possible scenarios under which a child may be at imminent risk of entering foster care and would likely enter but for the provision of support services.

The following represents examples, but is by no means an exhaustive list, of the types of scenarios during which a state could claim a match for title IV-E prevention services on behalf of a child and his or her caregivers:

Who is a “Candidate for Foster Care?”

- *When an adopted child is at risk of entering or re-entering foster care, these prevention services can come in the form of post-adoption supports and be made available so that such parents need not relinquish their parental right in order to access such services;*
- *When a child in a formal or informal kinship placement is at imminent risk of entering or re-entering foster care, these prevention services can be made available;*
- *When a child is living with his or her parents and is deemed as being at imminent risk of entering foster care, but a relative caregiver could to become the guardian if provided prevention services, such services can be made available;*

Who is a “Candidate for Foster Care?”

- *If a child at a young age was deemed a candidate for care and his or her caregiver received services under this bill and years later the child was again deemed at imminent risk of entry later in life, this bill would allow for the state to draw down prevention services under title IV-E at both points in the child's and family's lives; or*
- *When a child is living with his or her parents and is deemed as being at imminent risk of entering foster care, but can remain safely at home through the provision of prevention services.*

Ensuring Appropriate Placements in Foster Care

The following placement options already are allowable under current Title IV-E and will continue under Family First:

- Facility for pregnant and parenting youth
- Supervised independent living for youth 18 years and older
- Specialized placements for youth who are victims of or at-risk of becoming victims of sex trafficking
- Foster Family Home (defined) – no more than 6 children in foster care, with some exceptions

Ensuring Appropriate Placements in Foster Care

- Beginning October 1, 2018, Title IV-E foster care maintenance payments can be made on behalf of a child in foster care who is placed with their parent in a licensed residential family-based treatment facility for up to 12 months.
 - No income test applies for these services, unlike other Title IV-E foster care placements.
- Beginning as early as October 1, 2019, after 2 weeks in care, Title IV-E federal support will be available for Title IV-E eligible youth placed in a Qualified Residential Treatment Program (QRTP).

What is a Qualified Residential Treatment Program (QRTP)?

- Has a trauma informed treatment model and a registered or licensed nursing and other licensed clinical staff onsite, consistent with the QRTP's treatment model.
- Facilitates outreach and engagement of the child's family in the child's treatment plan
- Provides discharge planning and family-based aftercare supports for at least 6 months
- Licensed and accredited

There are no time limits on how long a child or youth can be placed in a QRTP as long as the placement continues to meet his/her needs as determined in assessment.

Ensuring Appropriate Placements in Foster Care

- States have the option to delay this provision for 2 years. However, delays in implementation of these provisions requires a delay in when the state may access the new prevention funding.
- To support State implementation of this provision, Family First provides \$8 million in FY2018 for grants to states and tribes to support the recruitment and retention of high quality foster families.

Additional select items to promote safety, permanency, and well-being

- Provides Title IV-E support for evidence-based kinship navigator programs at 50%, beginning October 1, 2018.
- Requires HHS to identify model foster parent licensing standards; states have to then identify how they will implement.
- Requires the development of a statewide plan to prevent child abuse and neglect fatalities.

Additional select items to promote safety, permanency, and well-being

- Requires inclusion in the state plan of a description of activities to address developmental needs of young children.
- Revises and renames the definition of “family reunification services” (formerly “time-limited family reunification services”) in the Promoting Safe and Stable Families Program.
 - Allows 15 months of services for children who return home from foster care
 - Removes the 15-month limitation for a child in foster care
- Makes revisions to the Chafee Foster Care Independence Program to emphasize more successful transitions to adulthood.

Promoting Timely Permanency for Children Across State Lines

- Provides \$5 million in new grants to states to expand the development of the electronic system to expedite the interstate placement across state lines of children in foster care, guardianship or adoption.
- Requires that states use an electronic interstate case processing system by October 2027.

Reauthorizes Adoption Assistance & Legal Guardianship Incentives

- Reauthorizes the Adoption and Legal Guardianship Incentive Programs through FY2022.
- Delays the phase in/expansion of the Adoption Assistance delink for children under age 2 (eligibility tied to 1996 AFDC income test) through June 30, 2024.

Continues Child Welfare Funding

- Reauthorizes Title IV-B programs and services until FY2021.
 - Stephanie Tubbs Jones Child Welfare Services Program, including funding for monthly caseworker visits
 - Promoting Safe and Stable Families Program
 - Court Improvement Program
 - Regional Partnership Grants to Increase the Well-Being of, and to Improve the Permanency Outcomes for, Children Affected by Heroin, Opioids, or Other Substance Abuse
- Makes revisions and reauthorizes the John H. Chafee Foster Care Independence Program until FY2021.

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