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

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SAFE
STRONG
SUPPORTIVE

casey family programs

SAFE CHILDREN STRONG FAMILIES SUPPORTIVE COMMUNITIES

safe children | strong families | supportive communities
I. BACKGROUND AND INTRODUCTION

The Family First Prevention Services Act
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 7 field offices providing direct services to youth in care
Foster care is intended to be a temporary safe haven.

- Until a child can be safely reunified with parents.
- If safe reunification is not possible, the next options are timely placement in a permanent home with appropriate kin or with an adoptive family.
- The goal in child welfare should be to ensure the safety, permanency and well-being of children and their families.
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 Fiscal Year

Source: Adoption and Foster Care Analysis and Reporting System (AFCARS)
Why do children enter foster care?

National Trends

In 2017, 265,513 children entered out-of-home care (children under age 18)

% of children entering care for each removal reason*

(note: multiple reasons may be selected for a single child, Federal Fiscal Year 2017)

- Neglect: 62%
- Parent Substance Abuse: 39%
- Caretaker Inability to Cope: 14%
- Physical Abuse: 12%
- Inadequate Housing: 10%
- Child Behavior Problems: 9%
- Parent Incarcerated: 8%
- Abandonment: 5%
- Sexual Abuse: 4%
- Child Substance Abuse: 3%
- Child Disability: 2%
- Relinquishment: 1%
- Parent Death: 1%
What happens to children in foster care?

among children who exited foster care in 2017:

- 49% were reunified with their families
- 23% exited to adoption
- 17% exited to live with relatives or guardians
- 8% aged out
- 3% Other

Source: Adoption and Foster Care Reporting System (AFCARS) data available from National Data Archive on Child Abuse and Neglect (NDACAN) at Cornell University
What is the Challenge?

• At the federal level, we spend $7 in foster care for every $1 in prevention.

• Federal funding to the states and tribes to support foster care placements is limited.
  – It is triggered only once a child enters out-of-home care.
  – It is tied to a non-existent eligibility program and only provides reimbursement for services for very low-income children.
What should a child welfare system include?

- A complete continuum of services is what’s needed to support strong and healthy families:
  - prevention services that are available to vulnerable children and families before serious risk has developed or harm has occurred,
  - temporary foster care that helps children return to a family setting as soon as possible,
  - therapeutic, mental and behavioral health and other individualized services that improve well-being, and
  - post-permanency supports to provide ongoing assistance to vulnerable families.
Family First Prevention Services Act of 2018

• Groundbreaking law that will provide states and tribes across America with new federal resources 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 the Family First Act
What are some of the challenges Family First hopes to address?

- An inflexible funding structure where the majority of federal funding is only available once children are removed from their home.
- Consensus about the need for upfront services to strengthen families.
- An over-reliance on inappropriate congregate care with negative outcomes.
- Ending of child welfare waivers on September 30, 2019.

Source: Presentation on the Family First Prevention Services Act prepared by staff for the U.S. Senate Committee on Finance and the U.S. House Committee on Ways and Means.
Major Components of the Family First Act

• **Prevention Services:** New option for states and tribes to receive 50% federal reimbursement for services to strengthen families and prevent unnecessary placement of children in foster care.

• **Improved Quality of Foster Care:** For those children who cannot remain safely at home, new federal policies to ensure appropriate placements.

• **Additional Funding and Provisions:** Support for child safety, permanency and well-being.
The Family First Prevention Services Act

II. NEW FUNDING FOR PREVENTION ACTIVITIES
New Funding for Prevention Services

• Beginning October 1, 2019, states and eligible tribes may receive open-ended entitlement funding to support children and their families in need of prevention services.

• Prevention services eligible for up to 12 months of federal reimbursement at a 50% match rate are:
  – evidence-based substance abuse prevention services
  – evidence-based mental health services
  – evidence-based in-home parenting skills

• There is no limit on how many times a state or tribe can receive federal reimbursement for these services.
New Funding for Prevention Services

• Unlike federal support for foster care, federal support for prevention services does not require an income test for eligibility.
  – States and eligible tribes will determine who will receive services supported through these new federal funds.

• Unlike federal support for foster care, federal support for prevention services is not limited to the child.
  – Federal support is also available for their parent and/or a kin caregiver.
III. ENSURING APPROPRIATE PLACEMENTS IN FOSTER CARE
Ensuring Appropriate Placements in Foster Care

• Beginning October 1, 2019 there will be new requirements on what placements in foster care receive federal reimbursement.
  – Goal is to encourage placement in family settings.
  – To address concerns around an overreliance on congregate care, the law creates “qualified residential treatment programs” with a number of requirements.
Ensuring Appropriate Placements in Foster Care

The following placement options already are allowable and will continue to be eligible to receive federal reimbursement:

• 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 as early as October 1, 2019, after 2 weeks in care, Title IV-E federal support will be available for foster care maintenance payments for eligible youth placed in a Qualified Residential Treatment Program (QRTP).

• States may opt to delay this provision for up to 2 years. However, no jurisdiction is permitted to claim Title IV-E support for prevention services before the date it makes these placement setting provisions effective.
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 by the state and accredited.

There are no time limits on how long a child can be placed in a QRTP and receive federal support as long as the placement continues to meet his/her needs as determined by assessment.
New Family First Resources for Substance Abuse Treatment Available Now

- **Residential Family-Based Treatment.** Federal reimbursement for up to 12 months for maintenance payments on behalf of children in foster care placed with their parent in a licensed residential family-based treatment facility.
  - There is no income eligibility requirement.
  - This opportunity is already available -- regardless of whether State chooses to operate the new Family First Act prevention program.
IV. ADDITIONAL SELECT ITEMS TO PROMOTE SAFETY, PERMANENCY AND WELL-BEING
New Funding for Kinship Navigator Services

- **Family First Act:** Provides 50% federal support for evidence-based kinship navigator programs.
  - Funding available now -- started October 1, 2018.
- **FFY 2019 Grants:** $20 million in FFY2019 grants for states/tribes to continue to develop, improve and evaluate Kinship Navigator Programs in order to meet the evidence-based standard in the Family First Prevention Services Act.
- **FFY 2018 Grants:** FFY 2018 grant funds were distributed to the 46 states and 8 tribes that applied.
Prevention of Child Abuse and Neglect Fatalities

• Family First requires the development of a statewide plan to track and prevent child abuse and neglect fatalities.

• As of October 1, 2018, states were required to document the steps being taken to:
  – track child maltreatment fatalities, including working with other relevant agencies and stakeholders;
  – develop and implement a comprehensive, statewide plan to prevent the fatalities, including engagement of relevant public and private partners.
Foster Parent Licensing Standards

• Requires HHS to identify model foster parent licensing standards. Model standards have been issued.

• By April 1, 2019, states were required to identify the licensing standards they implement, if state standards differ from the model standards, and why they differ.
Expands Child Welfare Funding for Older Youth

• Modernizes and reauthorizes the John H. Chafee Foster Care Independence Program until FY2021.
  – Allows states that have extended care to 21 to provide services to youth who have aged out of foster care up to age 23.
  – Allows 5 total years of eligibility for Education and Training Vouchers up to age 26. Does not have to be 5 consecutive years.
## Big Opportunities for Child Welfare

<table>
<thead>
<tr>
<th>Pre-2018 federal law</th>
<th>Family First</th>
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<tr>
<td>Most federal $$ for foster care</td>
<td>New federal $$ for prevention</td>
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<tr>
<td>Federal $$ for services only for the child</td>
<td>Prevention $$ for parents, child, kinship caregivers</td>
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<td>Income test to qualify</td>
<td>No income test</td>
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<td>$$ for children placed in group homes with little oversight</td>
<td>No $$ unless placements are quality settings and appropriate</td>
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<td>No $$ for child placed with parent in residential treatment</td>
<td>12 months of federal $$ for such placements</td>
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What opportunities does Family First provide to improve outcomes for children and families?
1. Funding to help all at-risk families

- **7.4 Million Referrals**
  - Involved in referrals alleging maltreatment

- **3.5 Million Children**
  - Involved in referrals screened in for an investigation or assessment
  - 19% of CPS investigations are substantiated
  - 1,750 fatalities (national estimate)

- **1.3 Million Children**
  - Received services

- **273,500 Children**
  - Entered foster care
  - 3.7% of all children involved in referrals alleging maltreatment

The universe of children at risk is bigger than the standard child welfare data suggests.

1 in 8 children (12.5%) have been a confirmed victim by age 18

Data source: Dr. Putnam-Hornstein’s presentation to the Commission to Eliminate Child Abuse and neglect Fatalities (July 10, 2014)
2. Supports to find families for children

Select Outcomes for children who age out of foster care

MENTAL AND PHYSICAL HEALTH
• 39.0% have at least one past-year mental health diagnosis
• 44.1% have had any substance abuse or dependence in their lifetime
• 30.3% have experienced PTSD in their lifetime

EDUCATION AND TRAINING
• 48.4% have a high school diploma

EMPLOYMENT, FINANCES, AND ECONOMIC HARDSHIPS
• 46.9% are currently employed
• 29.2% have been unable to pay their rent or mortgage during the past year

LIVING ARRANGEMENTS AND HOUSEHOLD COMPOSITION
• 37.7% have been homeless since leaving foster care
• 43.7% of those who were homeless have been homeless four or more times

3. Supports to keep children safe

Child Maltreatment Fatalities are Increasing

Most maltreatment-related fatalities involve very young children

Maltreatment Related Child Fatalities, by Age

Many (44%) are babies under the age of 1. Most (77%) are children under the age of 4.

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