



Changing the Child Welfare Paradigm: The Family First Prevention Services Act

What do we know about children who grow up in foster care?

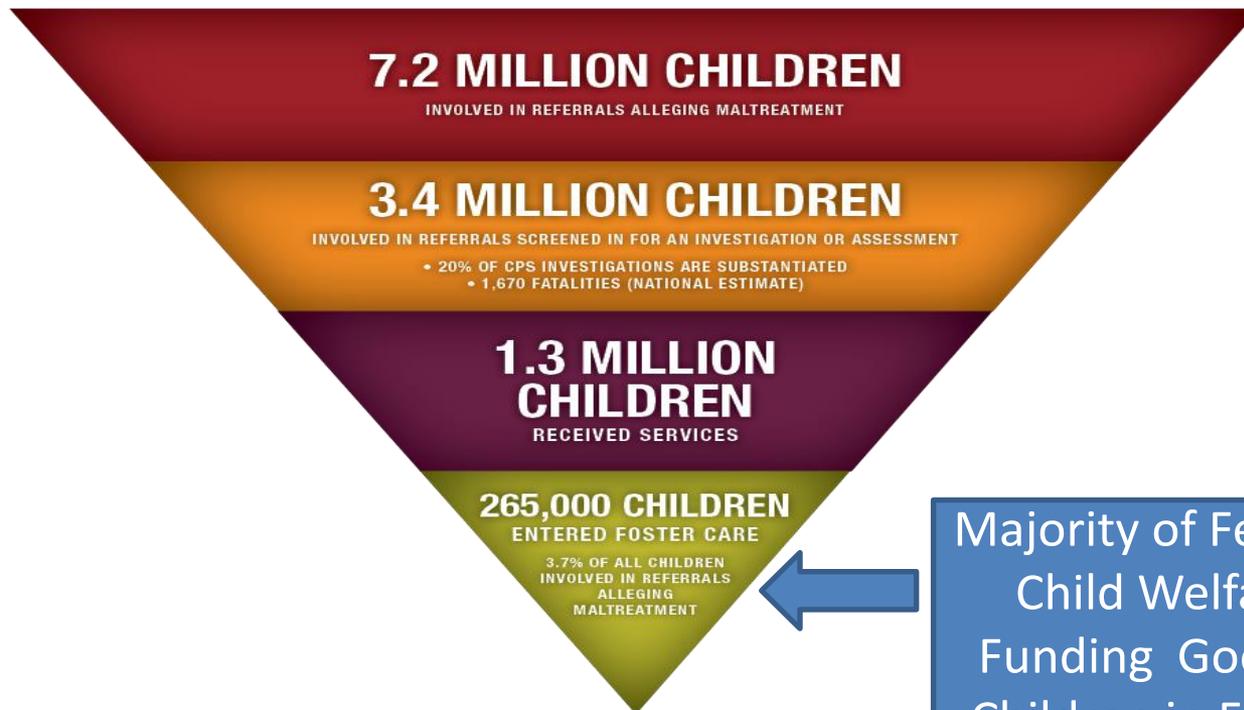
- 39.0% have at least one past-year mental health diagnosis
- 44.1% have had any substance abuse or dependence
- Less than half have a high school diploma (48.4%)
- 46.9% are currently employed
- 37.7% have been homeless since leaving foster care
- 9.9% of those who have had a child have had a child placed in foster care
- 68.0% of males and 40.5% of females have been arrested since leaving foster care

Source: Casey Family Programs Texas Foster Youth Alumni Study

What do we know from the research and by listening to children and families?

- The goal in child welfare should be to ensure the **safety**, permanency and well-being of children *and their families*.
- To support child well-being, it is important to intervene as early as possible.
- Removing children from their families and homes creates emotional distress and trauma that should be avoided whenever possible.
- Many children can be better served by remaining **safely** at home.
- **Federal child welfare funding hasn't recognized this; for every \$7 spent on foster care, only \$1 is spent on helping to prevent children being removed from their own homes.**

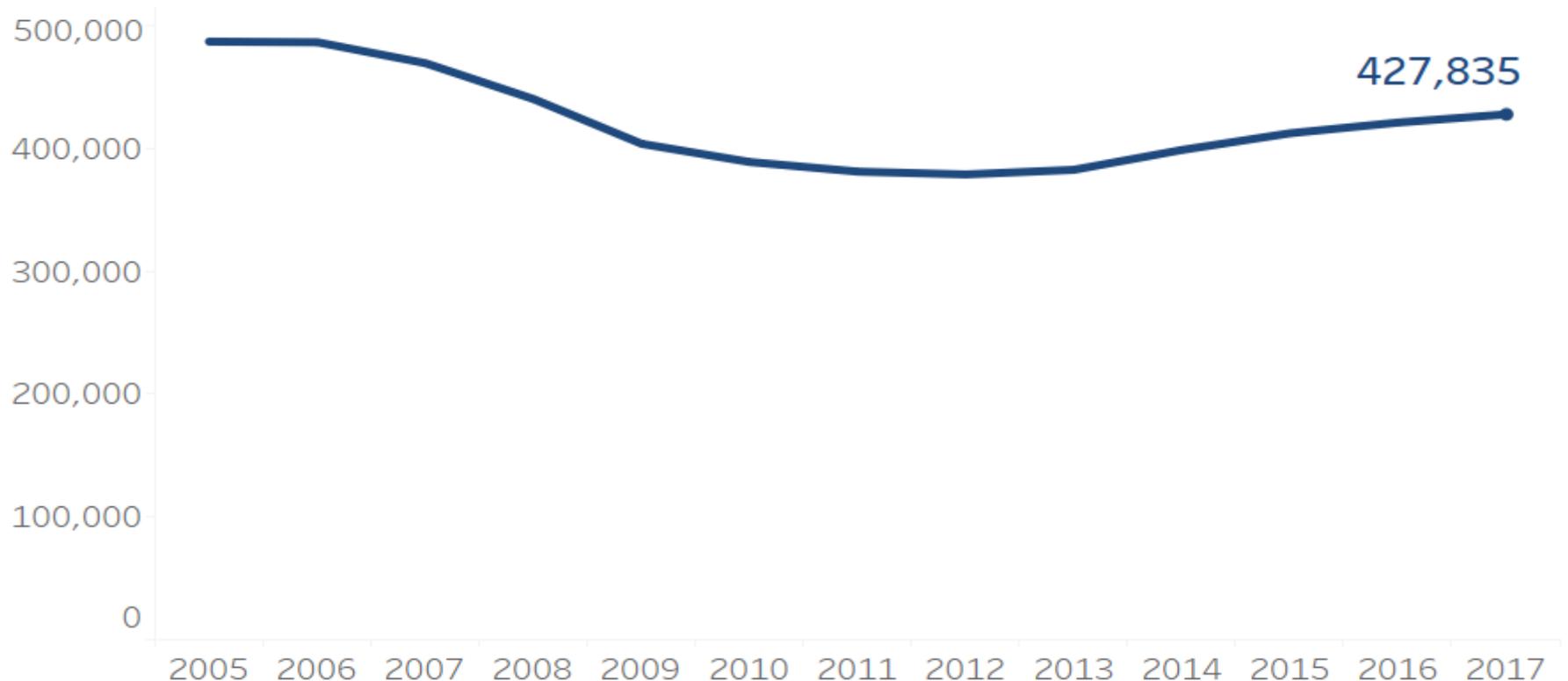
Child Maltreatment and Federal Spending



Majority of Federal
Child Welfare
Funding Goes to
Children in Foster
Care

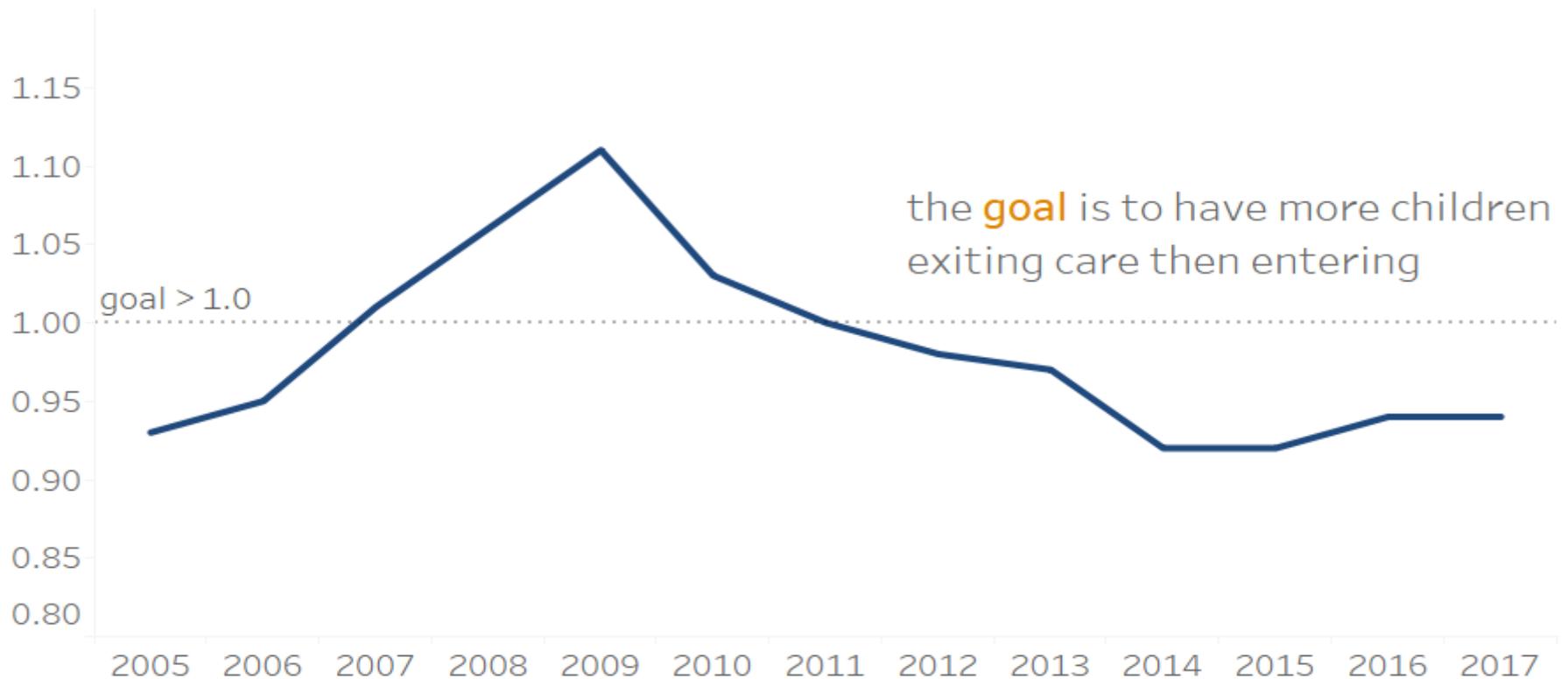
Several years of increase in foster care population nationwide; some states attribute this growth to the opioid crisis

Number of children in care (under age 18)



Across the country, more children are entering foster care than gaining permanent families and exiting the foster care system

Ratio of children exiting care to entering care





Investing in Families: Prevention services

Family First Prevention Services Act

- The Family First Prevention Services Act was passed and signed into law on February 9, 2018.
- 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: American Academy of Pediatrics, American Academy of Child and Adolescent Psychiatry, Children’s Hospital Association, National Council of Juvenile and Family Court Judges, and many more.

Goals of the Family First Act

Family First aims to:

- Elevate the availability and quality of prevention services for families whose children are at risk of entering foster care
- Encourage and support kinship care
- Decrease the use of unnecessary congregate care
- Improve the quality of care for children for whom congregate care is appropriate
- Reduce the number of child abuse and neglect fatalities

What does this new law mean for your state or tribe?

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. (Match rate goes to states' FMAP rate in 2026)
- **Improved Quality of Foster Care:** For those children who cannot remain safely at home, new federal policies to ensure appropriate placements.
- **Additional Provisions:** Support for child safety, permanency and well-being.



Prevention services to keep children from being placed in foster care

Family First Act: federal funding for foster care prevention and treatment services

Provide new unlimited federal matching funds for evidence-based prevention and treatment services.

- **Who:** Children your state or tribe determines are at imminent risk of placement in foster care AND their parents or kinship caregivers and pregnant and parenting foster youth. **Unlike federal foster care reimbursement, there is no family income test.**
- **What:** Mental health and substance abuse treatment and intensive parenting skills building, including child and adult counseling.
- **How Long:** Reimbursable services are allowable for up to 12 months, with no limit on how many times a child and family can receive prevention and treatment services if the child continues to be at risk of entry into foster care

Families would have greater access to these services:



Substance abuse prevention and treatment for children and parents



Mental Health services for children and parents

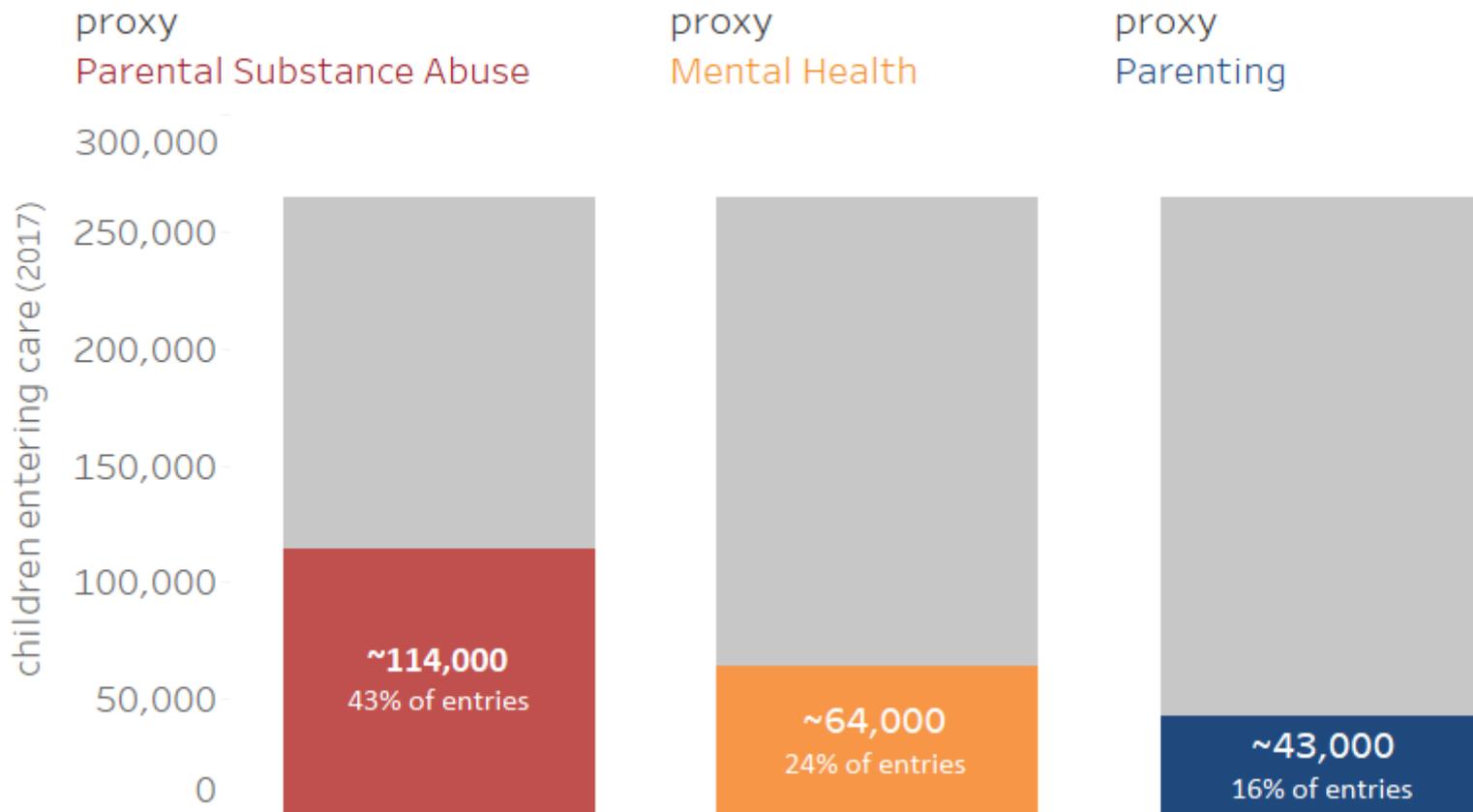


Intensive parent skill-building programs

- a) Parent Skills
- b) Parent Education
- c) Individual and family counseling

Why do most children come into foster care and will these services make a difference?

Consider Family First prevention areas...



To qualify for federal reimbursement, prevention services must be proven effective

Family First invests in programs that are effective; prevention programs must be evidence based & trauma-informed:

- Services must meet one of three levels of evidence
 - Promising
 - Supported
 - Well-Supported
 - 50% of a state's spending must be on well-supported
- There is a federal clearinghouse that lists programs that are eligible for federal reimbursement and categorized by level of evidence

Federal prevention services clearinghouse

Mental Health Treatment

- Parent-Child Interaction Therapy – Well Supported
- Trauma Focused-Cognitive Behavioral Therapy - Promising
- Multisystemic Therapy – Well Supported
- Functional Family Therapy – Well Supported

Substance Abuse Treatment

- Motivational Interviewing – Well Supported
- Multisystemic Therapy for Child Abuse and Neglect – Does not Meet
- Families Facing the Future - Supported
- Methadone Maintenance Therapy – Promising

Parenting Intensive Skill Building

- Nurse-Family Partnership – Well Supported
- Healthy Families America - Well Supported
- Parents as Teachers – Well Supported

Family First prevention services and and tribal nations

Tribal organizations with an approved Title IV-E plan also have the option to use the federal funds for prevention services and programs.

HHS will specify the requirements applicable to tribes, which will be consistent with state requirements, to the extent possible, but allow for cultural adaptation that best fits the context of the tribal community.

For each tribe that takes the option for prevention services and programs, HHS will establish specific performance measures on the prevention services, which will be consistent with the state performance measures, to the extent possible, but also take into consideration the factors unique to the tribe.

Funding to support keeping families together during residential substance abuse treatment

- As of October 1, 2018, federal foster care payments can be made on behalf of a child in foster care who is placed with his or her parent in a licensed residential family-based treatment facility for up to 12 months with no income test.
- **This program is especially beneficial for mothers of Neonatal Abstinence Syndrome newborns.** Mothers who go into substance abuse treatment with their babies have higher rates of recovery and placement together strengthens bonding and attachment.
- This opportunity exists regardless of whether a state chooses to operate a prevention program through Family First.



Improving the Quality of Foster Care

Appropriate placements in foster care

- Family First Act makes changes to what types of out-of-home placements would be eligible for federal reimbursement beginning October 1, 2019. The financial incentive is on family based-foster care.
- States have the option to delay this provision for 2 years until October 1, 2021. **However, delays in implementation of these provisions requires a delay in when a state may access new federally reimbursable prevention resources.**

Ensuring Appropriate Placements in Foster Care

- Prioritizes placing children in the most family-like setting
- Consistent with research that shows children do best with families
- Acknowledges that for some children, therapeutic group care can be the most appropriate placement for a period of time

Federally reimbursable types of foster care

Federal match will continue for these placements:

- 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 with no more than 6 children in foster care, with some exceptions, such as sibling placement
- High quality and necessary congregate care - QRTP

Qualified Residential Treatment Program (QRTP)

In order to get federal reimbursement requires:

- Independent child assessment and reviewed every 6 months
- Trauma-informed treatment model
- Registered/licensed nurse or clinical staff consistent with treatment model
- Outreach and engagement of family in treatment plan
- Have a child discharge plan and provide at least 6 months of after care
- Licensed and accredited
- Over 60 day stay requires approval by court



Other Provisions of the Family First Act

Statewide plans to prevent child abuse and neglect fatalities

Requires states to document the steps they are taking to track and prevent child maltreatment fatalities, including:

- How the state is compiling complete and accurate information on these fatalities, including information on deaths from relevant organizations (i.e. state vital statistics department, child death review teams, law enforcement agencies, offices of medical examiners or coroners).
- How the state is developing and implementing a comprehensive, statewide plan to prevent child maltreatment fatalities that engages public and private agency partners, including those in public health, law enforcement and the courts.

Reunification and interstate placements

- Eliminates the time limit for reunification services provided during a child's placement in foster care and adjusts the start of time limits for family reunification services to the date of reunification instead of the date of foster care placement. This change will allow activities to be provided to a family for a 15-month period that begins on the date the child returns home.
- Requires states use an electronic interstate case processing system by 2027 to expedite the placement of children in foster care, guardianship or adoption and provides \$5 million in grants to states. Provides an exception to this requirement for tribes.

SAFE STRONG SUPPORTIVE

SUMMARY FAMILY FIRST PREVENTION SERVICES ACT

Opportunities for Improving Child Welfare

Pre-2018 federal law

Most federal \$\$ for foster care

Federal \$\$ for services only for the child

Income test to qualify

\$\$ for children placed in group homes with little oversight

No \$\$ for child placed with parent in residential treatment

Family First

New federal \$\$ for prevention

Prevention \$\$ for parents, child, kinship caregivers

No income test

No \$\$ unless placements are quality settings and appropriate

12 months of federal \$\$ for such placements