

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

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SAFE CHILDREN STRONG FAMILIES SUPPORTIVE COMMUNITIES
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safe children | strong families | supportive communities

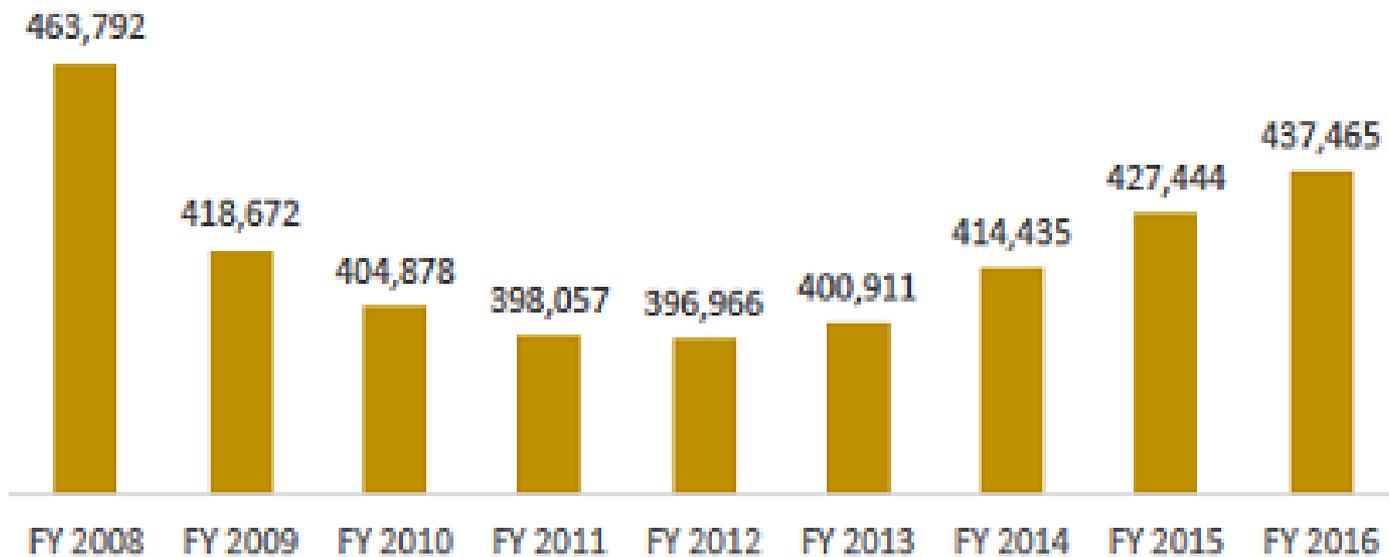
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The Family First Prevention Services Act

I. BACKGROUND AND INTRODUCTION

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)

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

The most expensive options for keeping children safe often results in poor long-term outcomes.

MENTAL AND PHYSICAL HEALTH

- 39.0% have at least one past-year mental health diagnosis
- 44.1% have had substance abuse or dependence in their lifetime

EDUCATION AND TRAINING

- Less than half have a high school diploma (48.4%)

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

MARRIAGE, RELATIONSHIPS, AND CHILDREN

- 58.3% have given birth to or fathered a child
- 9.9% of those who have had a child have had a child placed in foster care

CRIMINAL JUSTICE INVOLVEMENT

- 68.0% of males and 40.5% of females have been arrested since leaving foster care

* *Casey Family Programs Foster Youth Alumni Study*

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

- The Family First Prevention Services Act was passed and signed into law (P.L. 115-123) as part of the Bipartisan Budget Act on February 9, 2018.
 - New option for States and Tribes (with direct federal IV-E agreements) to claim Title IV-E funds for prevention activities as early as October 1, 2019.
 - New policy to ensure appropriate placements for children in foster care as early as October 1, 2019.
 - New funding and reauthorization of existing funding for child welfare programs including prevention funding, court funding, and specific substance abuse prevention grant funding.

Pre-2018 federal law

Most federal \$\$ for foster care

Services only for 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

QUESTIONS?

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II. NEW FUNDING FOR PREVENTION ACTIVITIES

New Funding for Prevention Activities

Who:

- 1) Children at imminent risk of placement in foster care
 - 2) Pregnant and parenting youth in foster care
 - 3) Their parents or kinship caregivers
- 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.

New Funding for Prevention Activities

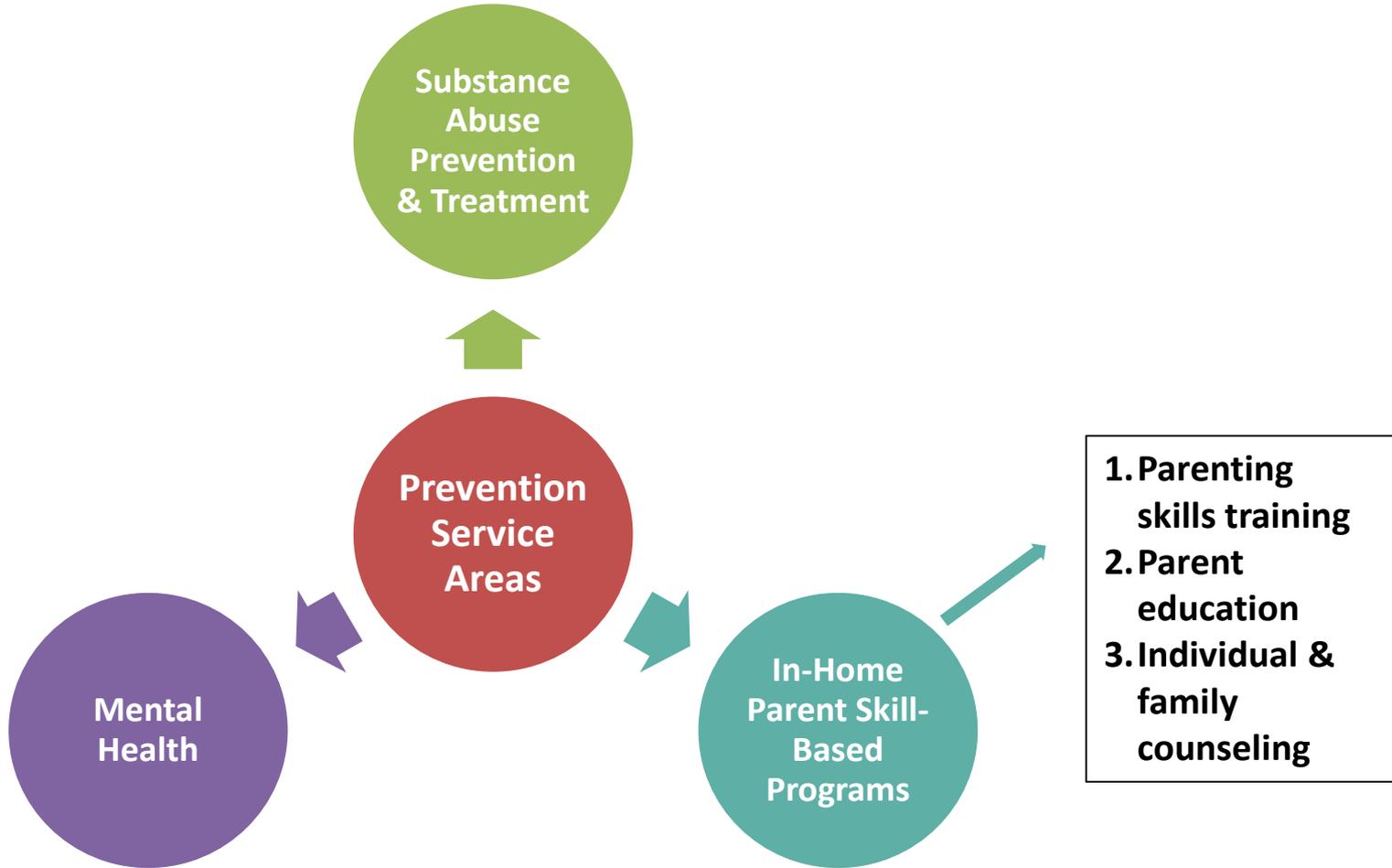
- Open-ended federal entitlement Title IV-E funding for 12 months of evidence-based prevention services.

What services:

- Mental health prevention and treatment services
- Substance abuse prevention and treatment services
- In-home parent skill-based programs - parenting skills training, parent education and individual and family counseling

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

FFPSA Service Categories



New Funding for Prevention Activities

- Requires prevention services and programs to be trauma-informed and ***promising, supported, or well-supported***, to qualify for federal reimbursement.
 - HHS to establish an Evidence Based Practices (EBP) Clearinghouse.

What are Family First Evidence-Based Practice Requirements?

Evidence Level	Requirements for all Evidence Levels	Control Group	Sustained Effect
Promising	<ul style="list-style-type: none"> The practice is superior to an appropriate comparison practice using conventional standards of statistical significance Rated by an independent systematic review For Supported & Well Supported...carried out in usual care or practice setting 	<ul style="list-style-type: none"> 1 untreated control, waitlist or placebo study 	<ul style="list-style-type: none"> No follow-up study is required
Supported		<ul style="list-style-type: none"> 1 RCT or rigorous quasi-experimental 	<ul style="list-style-type: none"> 6 months
Well Supported		<ul style="list-style-type: none"> 2 RCTs or rigorous quasi-experimental 	<ul style="list-style-type: none"> 12 months

Combined Summary Table of 67 Interventions That Should be Classified as Well-Supported in Terms of Evidence Level Using CEBC or FFPSA Criteria

FFPSA Intervention Areas	No. of Interventions Ranked as Well-supported
<ul style="list-style-type: none"> ▪ Mental health services for children and parents 	39
<ul style="list-style-type: none"> ▪ Substance abuse prevention and treatment services for children and parents 	13
<ul style="list-style-type: none"> ▪ In-home parent skill-based programs: <ul style="list-style-type: none"> ▪ Parenting skills training and Parent education* ▪ Individual and family counseling 	10 5

*Because a clear definition of each program type and how they differ from each other has not yet been issued by the Federal Government in relation to FFPSA, we grouped interventions that might qualify for one or both these program types together.

In-Home Parent Skill-Based Programs: Parenting Skills Training and Parent Education (Total: 10)

1. Family Connects
2. Family Spirit (for American Indian/Alaskan Native parents)
3. Healthy Families America (HFA)
4. Home Instruction for Parents of Preschool Youngsters (HIPPIY)
5. Minding the Baby® (MTB)
6. Nurse Family Partnership (NFP)
7. Parenting with Love and Limits
8. SafeCare
9. The Incredible Years
10. Wraparound

In-Home Parent Skill-Based Programs: Individual and Family Counseling (Total: 5)

1. Attachment-Based Family Therapy (ABFT)
2. Child-Parent Psychotherapy
3. Functional Family Therapy (FFT)
4. Homebuilders (Intensive Family Preservations Services)
5. The Family Check-up (FCU)

One Approach to a FFPSA Interventions Catalog

- A summary of research-based interventions that have sufficient research evidence to likely qualify for FFPSA reimbursement (subject to forthcoming Federal guidance).
- Includes: Age range, Duration, Effectiveness rating, Effect sizes, Cost, Cost-savings data (where available), and if the EBP was used as part of a Title IV-E waiver.
- Note that the duration of most EBPs is <12 months.

Sample Page from the Casey FFPSA Intervention Catalog

Program Model or Intervention	Ages and Problem or Skill Area Addressed	Treatment Duration	Level of Effectiveness/ Effect Sizes	Cost & Cost-Savings	Manual Available	Waiver Intervention
Mental Health for Caregivers or Children						
<p>Trauma-Focused Cognitive Behavioral Therapy (TF-CBT) TF-CBT is a conjoint child and parent psychotherapy approach for children and adolescents who are experiencing significant emotional and behavioral difficulties related to traumatic life events. It has mostly been used and evaluated with youth who were sexually abused or exposed to domestic violence. TF-CBT can also benefit children with depression, anxiety, shame, and/or grief related to their trauma.</p>	Ages 4–18. Anxiety, depression, PTSD	Weekly 60- to 90-minute sessions Duration: 12–16 weeks	1 (Well-supported)	\$1,037 (CBT based models for child trauma) ^j	Yes ⁱⁱ	AR, CO, IN, KY, MD, MT, NV, WI
<p>Triple P – Positive Parenting Program – Level 4 Individual for Child Disruptive Behavior Triple P—Positive Parenting Program (Level 4, self-directed) is an intensive individual-based parenting program for families of children with challenging behavior problems. In the self-directed modality, parents receive a full Level 4 curriculum with a workbook and exercises to complete at their own pace. They are also offered support from a therapist by telephone on a regular basis.</p>	Ages 0–12	10–16 sessions Duration: over 3–4 months ⁱⁱⁱ	1 (Well-supported)	Cost: \$1,792 Savings: \$2339 B-C: \$3.36 ^{iv}	Yes ^v	CO, ME, NE, TX, WA

New Funding for Prevention Activities

- Ohio's Title IV-E Prevention Plan will need to address:
 - what EBPs the State will use
 - description of how the state will administer the program
 - determine eligibility
 - train caseworkers
 - track fidelity and outcomes

New Funding for Prevention Activities

Federal reimbursement rates for prevention activities:

- Oct 1, 2019 - Sept 30, 2026, Federal Financial Participation (FFP) is 50%.
- Oct 1, 2026, Ohio's FFP will be 63%
- Also – States can claim administrative and training activities costs at 50%.
- *At least 50% of the spending in every fiscal year must be for well-supported practices.*
- *Prevention services & activities claims are without regard to income of the families!*

New Funding for Prevention Activities

- ***When:*** Title IV-E reimbursement for eligible prevention services option begins Oct 1, 2019, but cannot start until Ohio implements QRTP provisions.
- ***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.

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III. ENSURING APPROPRIATE PLACEMENTS IN FOSTER CARE

Ensuring Appropriate Placements in Foster Care

Title IV-E allowable placements – current, and 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

- Oct 1, 2018 - Title IV-E foster care maintenance payments can be made on behalf of a child in foster care placed with their parent in a licensed residential family-based treatment facility for up to 12 months.
 - No income test applies, unlike other Title IV-E foster care placements.
- Applying Oct 1, 2019 – Oct 1, 2021, after 2 weeks in other congregate care, Title IV-E foster care maintenance will be available only for eligible youth placed in a Qualified Residential Treatment Program (QRTP).

What is a Qualified Residential Treatment Program (QRTP)?

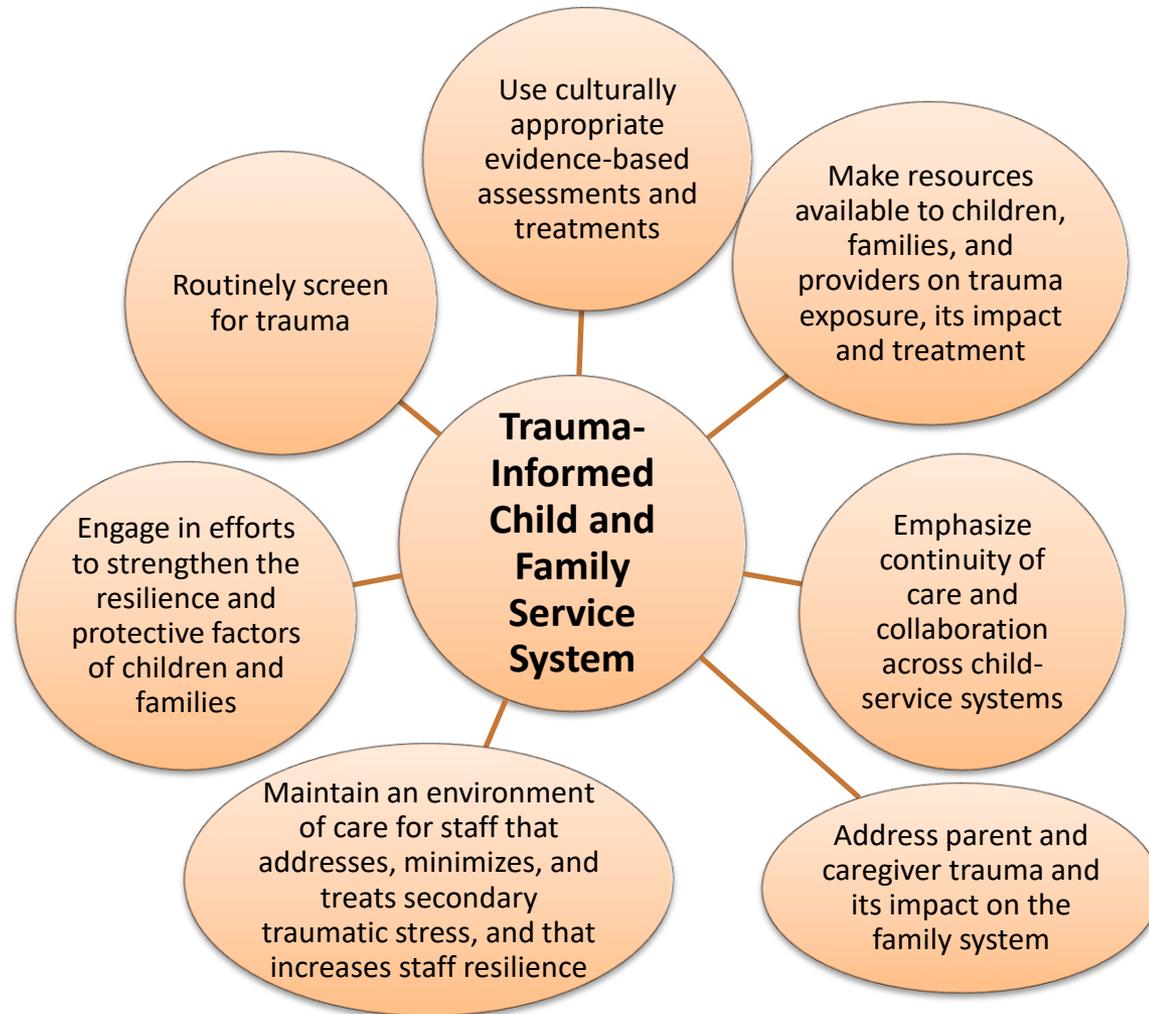
- Has a trauma informed treatment model and a registered or licensed nursing and other licensed clinical staff onsite, consistent with the QRTP's treatment model.
- Facilitates outreach and engagement of the child's family in the child's treatment plan.
- Provides discharge planning and family-based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

Qualified Residential Treatment Program – Assessment & Timing

- Assessment of youth required within 30 days of placement (independent 3rd party assessment or waiver)
- Court oversight of placement decision, including review of assessment indicating residential and treatment plan, within 60 days
- Ongoing court review of assessment of needs & strengths during residential stay
- State must track QRTP placements longer than 12 months, or 6 months for children under age 13.

Elements of a Trauma-Informed Child and Family Service System



Source: National Child Traumatic Stress Network (NCTSN) (undated). *What is a Trauma-Informed Child- and Family-Service System?* <http://nctsn.org/resources/topics/creating-trauma-informed-systems>

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IV. ADDITIONAL SELECT ITEMS TO PROMOTE SAFETY, PERMANENCY AND WELL-BEING

Additional Select Items to Promote Safety, Permanency, and Well-Being

Kinship Navigators: Provides Title IV-E support for evidence-based kinship navigator programs at 50%

- Ohio issued an ***RFP for a Statewide Kinship and Adoption Navigator Program*** on Dec 27, 2018, due Feb 7, 2019 -
<https://procure.ohio.gov/proc/viewProcOpps.asp?oppID=15599>

Additional Select Items to Promote Safety, Permanency, and Well-Being

Foster Parent Licensing Standards

HHS identified model foster parent licensing standards. By April 1, 2019, states have to identify the licensing standards they implement, if state standards differ from the model standards, and why they differ.

Additional Select Items to Promote Safety, Permanency, and Well-Being

Child Abuse and Neglect Fatalities. Requires the development of a statewide plan to track and prevent child abuse and neglect fatalities. As of October 1, 2018, states must document in their Title IV-B plan 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.

Addressing Permanency

- All States to implement NEICE (National Electronic Interstate Compact Enterprise) to assist with ICPC; Ohio has already implemented!
- 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
 - These prevention funding do not have evidenced based requirements.
- Modernizes and reauthorizes the John H. Chafee Foster Care Independence Program until FY2021.

Recent Activities by HHS in 2018

- July 9 - HHS released a Program Instruction (PI) regarding some of the new Title IV-E provisions (Chafee, Adoption Assistance).
- Aug 9 – Model foster care licensure standards released by HHS
- Sept – Abt & Assoc. awarded the EBP Clearinghouse
- Nov 30 – HHS released PIs for the Prevention Services (10 EBPs), Kinship Navigator Program, and revised IV-E Reporting forms

Awaiting Activities by HHS

- Expecting more guidance re QRTPs
- Early April 2019 – expect Clearinghouse handbook for EBP standards & procedures.
- May 2019 – additional clearinghouse EBPs to be announced
- Summer 2019 – additional EBP lists to be ranked / announced
- April 2019 – Ohio to submit update foster care licensure standards

For more information:

- Family First Prevention Services Act. Statutory language, 2018 H.R. 1892. See pp. 169 to 206. <https://www.congress.gov/115/bills/hr1892/BILLS-115hr1892enr.pdf>
- U.S. House of Representatives, Ways & Means Committee Report. Provides background regarding Congressional intent. <https://www.congress.gov/114/crpt/hrpt628/CRPT-114hrpt628.pdf>
- Federal HHS Program Instruction. ACYF-CB-PI-18-07, Issued July 9, 2018, with related attachments. <https://www.acf.hhs.gov/cb/resource/pi1807>
- Federal Register. Notice for Proposed Model Family Foster Home Licensing Standards, including a summary of the proposed model standards. <https://www.federalregister.gov/documents/2018/08/01/2018-16380/notice-for-proposed-model-family-foster-home-licensing-standards>
- Letter from U.S. House Committee on Ways and Means Subcommittee on Human Resources, regarding a July 28, 2018 Congressional hearing on Family First implementation. Includes https://waysandmeansforms.house.gov/uploadedfiles/ffpsa_hearing_response_letter.pdf

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