


**CHILDREN'S BUREAU
UPDATE**


May 2, 2019



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The Family First Prevention Services Act


- Enacted on February 9, 2018
- Created a new optional prevention funding under title IV-E which provides optional title IV-E funding for certain time-limited (1-year) prevention services for mental health/substance abuse and in-home parent skill-based programs
- Revised and reauthorized title IV-B, subparts 1 and 2
- Places title IV-E payment limits on child care institutions
- Reauthorized the Adoption and Legal Guardianship Incentive Programs and extends availability of appropriated funds through FY 2021.
- Revised the definition of foster family home to limit a home to six children (with exceptions)
- Allows title IV-E foster care payments for children with parents in a licensed residential family-based treatment facility for substance abuse
- Delays the Adoption Assistance Phase-In of the Applicable Child Requirements



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The Family First Prevention Services Act: Title IV-E


- **New Optional Title IV-E Prevention Services Program**
 - Beginning in October 1, 2019, states with an approved title IV-E prevention plan may claim title IV-E for a portion of trauma-informed, evidence-based mental health services, substance abuse services and in-home parent skill-based programs for up to one year.
 - Candidates for foster care as defined in the law, pregnant/parenting foster youth, and the parents/kin caregivers of those children and youth are eligible for those services.
 - Programs must be provided in accordance with general and promising, supported, or well-supported practices.
 - The law required HHS to develop a Clearinghouse of promising, supported, or well-supported practices with specific information on whether the promising, supported, or well-supported practice has been shown to prevent child abuse and neglect or reduce the likelihood of foster care placement by supporting birth families and kinship families and improving targeted supports for pregnant and parenting youth and their children.
 - [The Title IV-E Prevention Services Clearinghouse Handbook Of Standards And Procedures](#) was released on April 26, 2019.



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The Family First Prevention Services Act: Title IV-E

- Revised the regional partnership grant program to support implementation of title IV-E prevention services and to improve outcomes for families affected by heroin, opioids, and other substances.
- New funding for title IV-E foster care maintenance payments for children placed with parents in licensed residential family-based substance abuse treatment
 - Allows 12 months of title IV-E foster care maintenance payments for an eligible child placed in certain licensed residential family-based substance abuse treatment facilities beginning October 1, 2019. No income-based eligibility test applies.




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The Family First Prevention Services Act: Title IV-E

New Limitations on Title IV-E Foster Care Payments for Placements in a Child Care Institution (CCI):

- Title IV-E agencies may claim for only up to 14 days of title IV-E foster care maintenance payments for a child in a Child Care Institution each time a child is placed in a child care institution.
- If the Child Care Institution is one of the following settings, title IV-E Foster Care Maintenance Payments can continue after 14 days:
 - a setting providing prenatal, post-partum, or parenting supports for youth
 - a setting providing high-quality residential care and supportive services to children and youth who are or are at risk of becoming, sex trafficking victims.
 - a supervised independent living setting
- Title IV-E agencies may claim for children placed in Qualified Residential Treatment Placements. These placements must meet detailed assessment, case planning, documentation, judicial determinations and ongoing review and permanency hearing requirements.




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The Family First Prevention Services Act: Title IV-E

Criminal Record and Registry Checks for Adults Working in Child-Care Institutions

- Amended the title IV-E plan to require procedures for fingerprint-based criminal records checks of national crime information databases, and child abuse and neglect registry checks on any adult working in a child care institution.
- Title IV-E agencies may use alternative procedures by reporting them to HHS describing why the required procedures for the checks are not appropriate for the agency.




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The Family First Prevention Services Act: Title IV-E

Electronic case processing system


- The law modified the title IV-E plan requirement for the orderly and timely interstate placement of children to require that state title IV-E agencies have a centralized electronic interstate case processing system by 10/1/2027.
- There was funding in the law for the development of the systems.
- The FOA is not out at this time.
- Once it's released there will be 6 weeks to complete the application.
- The Children's Bureau is encouraged by the results of the project so far and encourages other states to join as soon as possible.
- Contact June Dorn for more information: june.dorn@hhs.acf.gov



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The Family First Prevention Services Act: Title IV-E


- **Preventing increases to the juvenile justice population**
 - Added a title IV-E plan requirement that title IV-E agencies must certify they will not enact policies that will significantly increase the state/tribe's juvenile justice population in response to the restrictions on title IV-E foster care payments for child care institutions.
- **Limit on number of children in a foster family home**
 - Revised the definition of foster family home to limit a home to six children.
 - Allows title IV-E agencies to make exceptions to the numeric limitation for parenting youth to remain with their child, to allow siblings to stay together, to allow a child with a meaningful relationship with a family to stay with that family, and to allow a family with special training or skills to care for a child with severe disabilities.



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The Family First Prevention Services Act: Title IV-E

- **Model Licensing Standards for Foster Family Homes**
 - The law required HHS to identify national model licensing standards for foster family homes.
 - The Children's Bureau published proposed model standards in the Federal Register for a 60 day comment period on August 1, 2018.
 - We received over 1,000 comments from states, tribes, advocacy groups, private providers, private citizens, and universities.
 - HHS released the National Model Foster Family Home Licensing Standards on February 4, 2019 in [ACYF-CB-19-01](#)
 - Title IV-E agencies must now provide HHS specific and detailed information about their licensing policies; if consistent with the model licensing standards and whether non-safety licensing standards are waived.



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The Family First Prevention Services Act: Title IV-B

- The law reauthorized all title IV-B programs at current funding levels through FY 2021, and made changes to several Subpart 1 plan requirements and service definitions:
 - Revised the definition of “family support services” to include supporting and retaining foster families so they can provide quality family-based settings for children in foster care.
 - Revised and renames “time-limited family reunification services” to “family reunification services” to allow 15 months of family reunification services for children who return home from foster care, and removes the 15-month limitation for a child in foster care to receive reunification services
- **Grants for supporting and retaining foster families:** Authorized \$8,000,000 for competitive grants to recruit and retain high-quality foster families.



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The Family First Prevention Services Act: Title IV-B

- **Court Improvement Program:** Requires state court grantees to train specified legal professionals on child welfare policies and title IV-E payment limitations for children in non-foster family homes.
- **Grants for electronic interstate case-processing system grants:** Reserves \$5 million from the \$200 million FY 18 funding for exchanging data to expedite interstate placements of children in foster, guardianship, or adoptive homes.
- **RPG Program:** Reauthorizes and makes modifications to the regional partnership grant program that assists families affected by substance abuse to focus on heroin, opioids, and other substance abuse.



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The Family First Prevention Services Act: Chafee Program


- The law changed the name from the John H. Chafee Foster Care Independence Program to the John H. Chafee Foster Care Program for Successful Transition to Adulthood.
- Revisions to the John H. Chafee foster care independence program to make it available to children who have experienced foster care at age 14 or older, and to make education and training vouchers available to youth ages 14-26, but for no more than 5 years total.
- The Chafee Program is now available to children who have experienced foster care at age 14 or older.
- Education and training vouchers (ETV) are now available to eligible youth ages 14-26, but participation in the ETV program is limited to 5 years total.
- Permits states and tribes with extended foster care programs to provide the Chafee program up to age 23.



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Children's Bureau Updates: AFCARS


- A Notice of Proposed Rulemaking (NPRM) amending the Adoption and Foster Care Analysis (AFCARS) data points was published on April 19, 2019.
- Comment period is open for 60 days and ends on June 18, 2019.
- Please submit comments via: [Regulations.gov](https://www.regulations.gov)
- Link to NPRM in: [Federal Register](https://www.federalregister.gov)
- More information: [What's New in Laws & Policies](#)



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RESOURCES

- [ACYF-CB-IM-18-02](#): Informs states and tribes of the enactment of the Family First Prevention Services Act and provides basic information on the new law.
- [ACYF-CB-PI-18-06](#): Provides new information and instructions for the Annual Progress and Services Report, as a result of passage of the Family First Prevention Services Act.
- [ACYF-CB-PI-18-07](#): Provides instructions for: 1) changes to the title IV-E plan requirements as a result of the Family First Prevention Services Act that are effective as of January 1, 2018 and later; and 2) delayed effective dates for title IV-B/E plan requirements.
- [ACYF-CB-PI-18-09](#): Provides instructions to state title IV-E agencies on the title IV-E prevention program requirements.
- [ACYF-CB-PI-18-11](#): Provides instructions to title IV-E agencies on the requirements for participating in the Title IV-E Kinship Navigator Program, as amended by the FFPSA.
- [ACYF-CB-IM-19-01](#): Provides the National Model Foster Family Home Licensing Standards required by FFPSA.
- [AFCARS NPRM](#)
- [The Title IV-E Prevention Services Clearinghouse Handbook of Standards And Procedures](#)



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