



Support the Family First Prevention Services Act of 2016: Bipartisan, Bicameral Bill Seeks to Improve Outcomes for Vulnerable Children

June 30, 2016

Today there are 415,000 children in foster care, disproportionately children of color, who have been there an average of nearly two years. More than a third of these children are under the age of 5; one fourth are 15 or older. For decades the vast majority of federal child welfare dollars have been targeted for out-of-home care after a child has been removed from their home, with limited federal funding to keep children safely with their families and out of foster care. When foster care is needed, too often children are not placed in the least restrictive most family-like setting appropriate to their special needs as federal law requires.

The Family First Prevention Services Act (S.3065), introduced by Senate Finance Committee Chair Orrin Hatch (R-UT) and Ranking Member Ron Wyden (D-OR) is a companion bill to H.R. 5456 passed by the House of Representatives on the suspension calendar on June 21st. The act takes historic first steps to promote families for children and help improve child outcomes.

The Family First Prevention Services Act redirects federal funds to provide services to keep children safely with their families and out of foster care, and when foster care is needed allows federal reimbursement only for family-based settings and certain residential treatment programs for children with emotional and behavioral disturbance requiring special treatment. The act includes:

- **Long overdue federal investments in prevention.** The act takes long overdue steps to redirect federal investments toward evidence-based prevention services and programs to prevent and treat mental health and substance abuse problems, which bring the majority of children and families to the child welfare system. It also offers federal investments for home-based services to promote and strengthen families. The services may be provided to children who are at imminent risk of entering foster care, parents or relative caregivers on behalf of a child, or pregnant or parenting teens.
- **Federal funding only for children in foster family care or in qualified residential treatment programs.** Federal funding is limited to children in family-based care and special treatment settings. The act requires timely assessments and periodic reviews of children with special needs who are placed in qualified residential treatment programs to ensure their continued need for such care. Reimbursement also will be available for settings for pregnant or parenting teens and for youth 18 and over preparing to transition from foster care to adulthood.
- **A three year delay before the new prevention dollars and new restrictions on federal funding for group care take effect so states can make necessary accommodations.** The act recognizes that adjustments will be necessary as states pursue efforts to keep children in families and in group care that meets their special needs. States have flexibility in defining the services they provide, the level of effort they must maintain in prevention, and how they will ensure quality residential treatment for children with emotional and behavioral needs.

The Family First Prevention Services Act also includes additional provisions to promote quality care for children:

Additional investments to keep children safely in families

- Offers additional support for relative caregivers by providing federal funds for evidence-based Kinship Navigator programs that link relative caregivers to a broad range of services and supports to help children remain safely with them, and requiring states to document how their foster care licensing standards accommodate relative caregivers.
- Allows Promoting Safe and Stable Families funding to be used for 15 months of family reunification services for children who return home from foster care.
- Extends for five years the Stephanie Tubbs Jones Child Welfare Services Program and the Promoting Safe and Stable Families Program, including the Court Improvement Programs grants.
- Requires states to have statewide plans to track and prevent child maltreatment fatalities.
- Establishes a competitive grant program to support the recruitment and retention of high quality foster families to help place more children in these homes, with special attention to states and tribes with the highest percentage of children in non-family settings.

Help address opioid and heroin addiction

- Reauthorizes and updates the Regional Partnership Grant program, which funds state and regional grantees seeking to provide evidence-based services to prevent child maltreatment related to substance abuse as an important step in addressing the recent spike in out-of-home placements due to the opioid and heroin epidemic.

Support for youth transitioning from care

- Extends the John H. Chafee Foster Care Independence Program's independent living services to assist former foster youth up to age 23 and extends eligibility for education and training vouchers for these youth to age 26.

Promoting permanent families for children

- Encourages permanence for children by establishing an electronic interstate case-processing system to help states expedite the interstate placement of children in foster care, adoption or guardianship.
- Extends the Adoption and Legal Guardianship Incentive Payment program for five years, which allows states to receive incentive awards for increasing exits of children from foster care to adoption or guardianship.
- Takes steps, including requiring a GAO Report, to ensure states are reinvesting state dollars freed up by making additional children eligible for Title IV-E Adoption Assistance payments in post-adoption services while at the same time temporarily postponing the reach of the adoption assistance program for infants and toddlers with special needs, who often are easier children to place for adoption.