



Family First Prevention Services Act Update

ralph.mcquarter@state.mn.us

Presentation for Minnesota Supervisor's Conference Association

9/10/19

Family First Prevention Services Act

The Act became law in February of 2018, and modified many sections of federal child welfare laws, including Title IV-E.

Most significantly, it:

- I. Strictly limits federal reimbursement for children's placements in **group foster care** by creating higher standards for those types of care.
- II. Creates new optional **prevention funding reimbursement** to keep children with their families as long as approved evidence-based services that are necessary to prevent the entry of the child into foster care are provided.

Timing

There are several deadlines in the act and some are already in effect.

- States may request to delay the effective date of particular provisions, such as the stricter group foster care standards, but if they do so, it will delay state access to the new optional prevention services reimbursement.
- MN has indicated a non-binding intent to delay implementation until July 1, 2021 to better analyze, implement and adjust to the new requirements. The latest the statute can be implemented is October 1, 2021.

Congregate Care: The new Act strictly limits federal reimbursement for children's placements in **group foster care**

Federal Title IV-E foster care payments are limited to two weeks for eligible children placed in settings that are not foster family homes,

Except for settings:

- Meeting new **qualified residential treatment programs** (QRTPs) requirements
- Specializing in providing prenatal, postpartum, or parenting supports for youth
- Independent, supervised for youth 18 or older
- Providing high quality residential care/supportive services to children/youth who have been found to be or are at risk of becoming sex trafficking victims
- Licensed as residential family-based treatment facilities for substance abuse where children are placed with their parents

Qualified Residential Treatment Program (QRTP) Standards

Beginning 3rd week for which foster care maintenance payments are made on behalf of a child placed in a child care institution, no federal payment unless program—

- Uses trauma-informed treatment model designed to address needs, including clinical needs, of children with serious emotional or behavioral disorders or disturbances
- Has registered or licensed nursing staff/other licensed clinical staff (either employee or contractor) who:
 - Provide care within scope of practice; on-site according to treatment model; available 24/7
- Facilitates participation of family members in treatment program, as appropriate; and outreach to family members

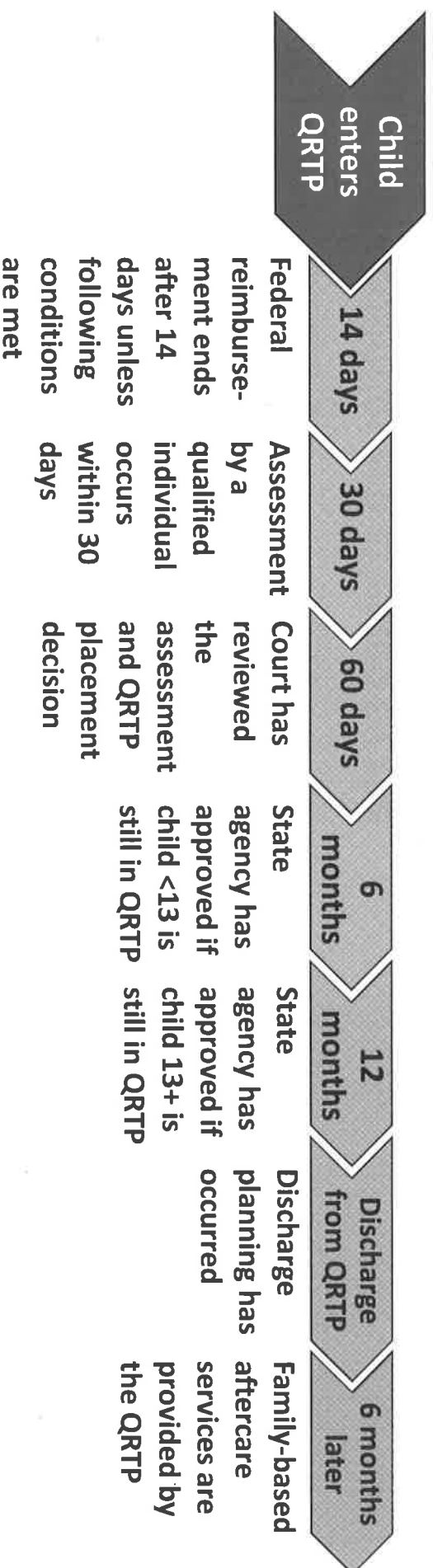
QRTP Standards (cont.)

No federal payment unless program–

- Documents how family members are integrated to treatment and post-discharge and sibling connections maintained
- Provides discharge planning and family-based after care for at least 6 months of post-discharge
- Licensed by state and accredited by: Commission on Accreditation of Rehabilitation Facilities (CARF); Joint Commission on Accreditation of Healthcare Organizations (JCAHO); Council on Accreditation (COA) or another body federally-approved

And assessments to determine appropriateness of placement in QRTP must be made within 30 days after placement

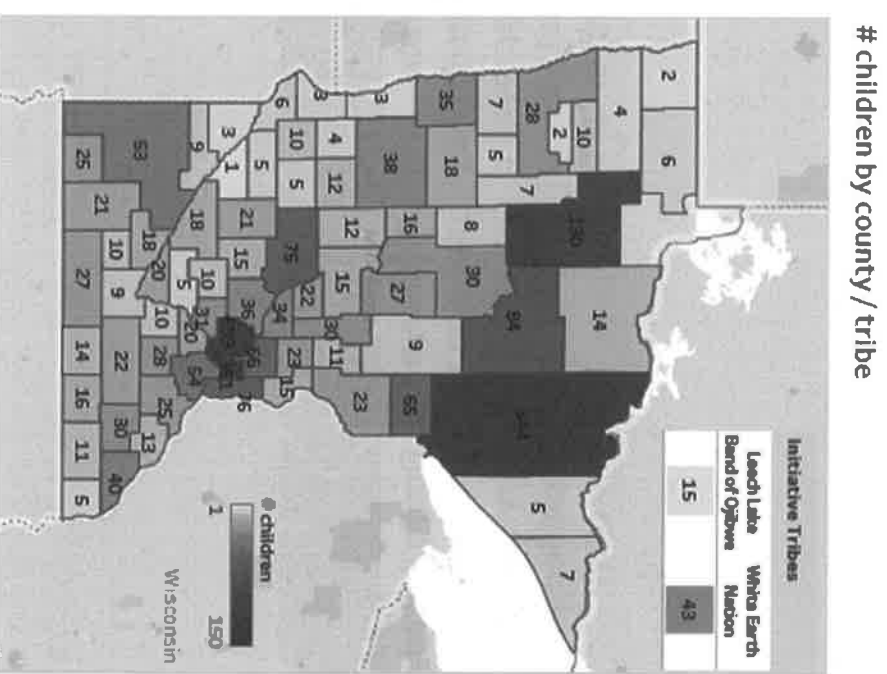
QRTP Requirements Timeline



- ❖ Family and permanency team must be assembled during assessment and continue to participate in case planning until permanency is achieved.
- ❖ Court must review decision again at every status and permanency hearing.

Impact of new congregate care restrictions in MN

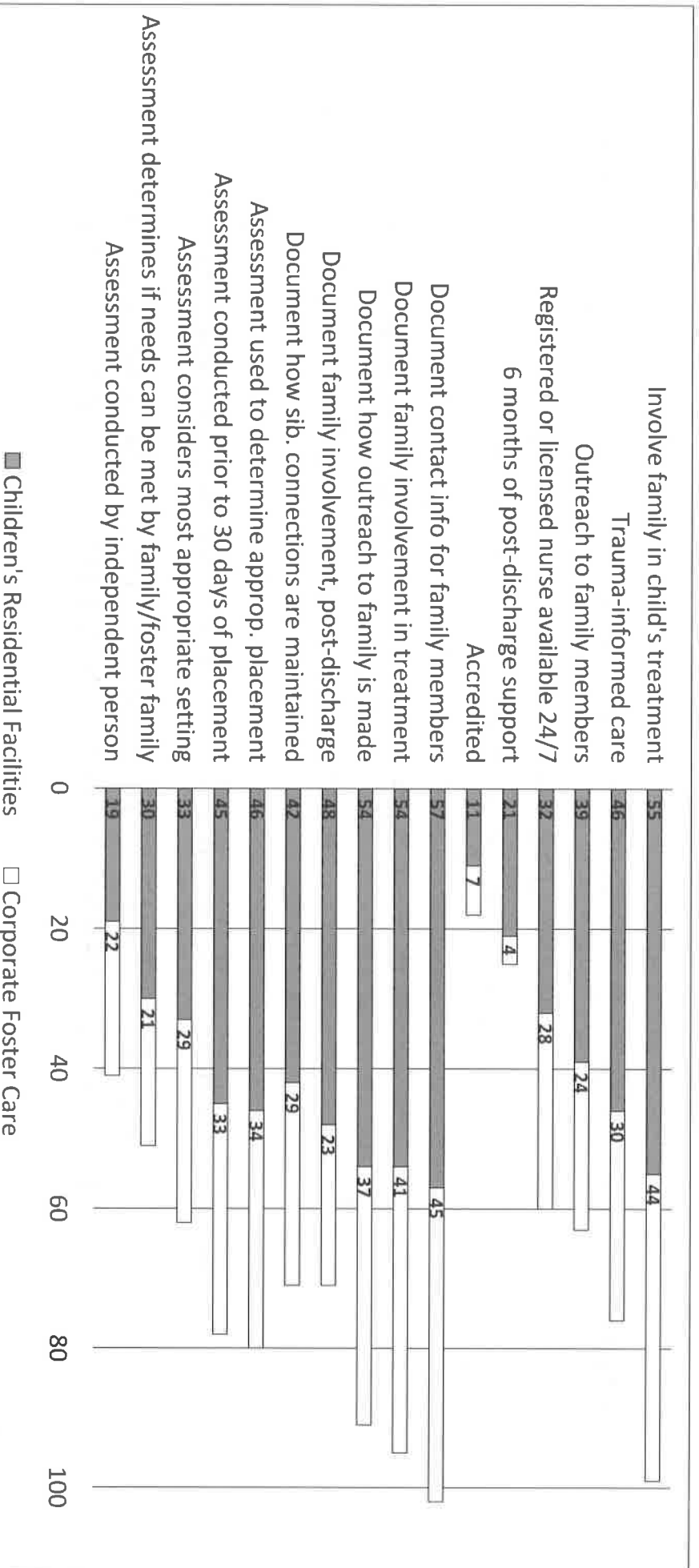
- Over 3,000 youth experienced out-of-home care sometime during 2017 at residential treatment centers, group homes, and/or corporate shift foster homes
- Over \$7 million of federal reimbursement is at stake if these settings don't meet the new standards
- Most counties are affected by the potential loss of federal revenue.



How do MN's residential placement settings align with the Act?

- Minnesota Management and Budget surveyed licensed children's residential facilities and corporate foster care homes.
- Less than half of those responding felt they met most of the requirements.
- The most difficult requirements were:
 - Accredited by a national accrediting body
 - Ability to provide 6-month post-discharge support
 - Assessments conducted by an independent person
 - Registered or licensed nurse available 24/7 as needed
- Most were willing to come into compliance if financially supported

Number of facilities that report meeting QRTP requirements



PREVENTION: The Act creates new optional **prevention funding reimbursement**

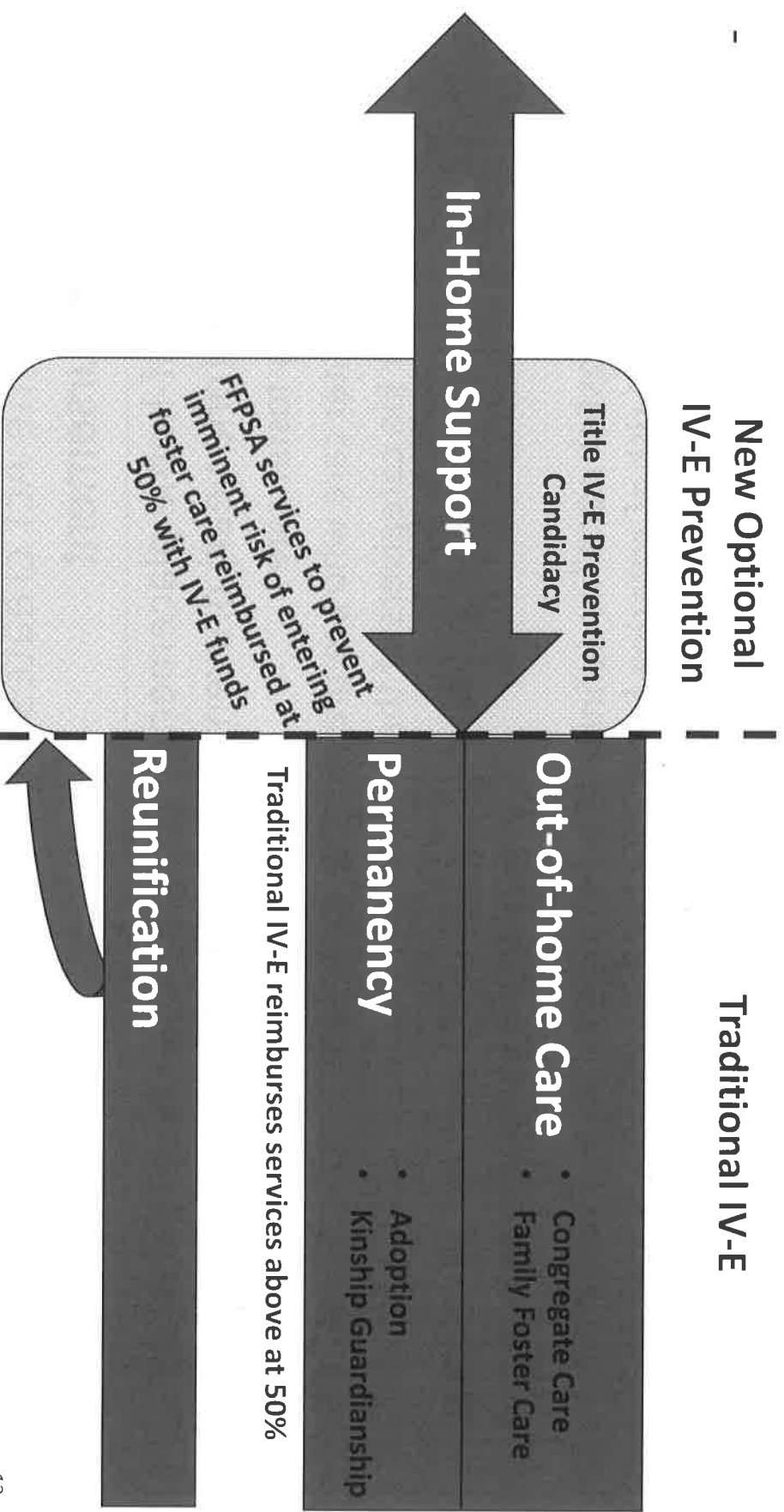
To prevent out-of-home placements, provides 50% IV-E reimbursement for time-limited (one year) prevention services for:

- candidates for foster care
- children in foster care who are pregnant or parenting
- the parents or kin caregivers of these children

without regard to income eligibility

“Candidate for foster care” is defined as a child identified in a prevention plan as being at imminent risk of entering foster care but who can safely remain in the child’s home or in a kinship placement as long as services or programs that are necessary to prevent the entry of the child into foster care are provided.

Continuum under Family First



What prevention services?

Allowable prevention services fall into four categories:

1. Mental health treatment
2. Substance abuse prevention and treatment services provided by a qualified clinician
3. In-home parent skill-based programs that include parenting skills training, parent education, and individual and family counseling
4. Kinship navigator programs

Services must be

- Rated and approved as evidence-based “promising,” “supported,” or “well-supported” by the federal Title IV-E Prevention Services Clearinghouse
- Identified in the state’s five-year prevention program plan

50 percent of expenditures must meet highest level “well-supported” criteria

Evidence ratings

Promising	At least one qualifying study with a rigorous study design and a favorable effect on at least one “target outcome”
Supported	At least one qualifying study with a rigorous study design and a favorable effect on at least one “target outcome” at least 6 months beyond treatment
Well-supported	At least two qualifying studies with rigorous study design, and at least one of the studies demonstrates a sustained favorable effect at least 12 months beyond treatment , on at least one target outcome.

Source: HHS, Administration on Children and Families, 2018

FFPSA Evidence-based Prevention Services

Following services are currently approved by the federal Title IV-E clearinghouse:

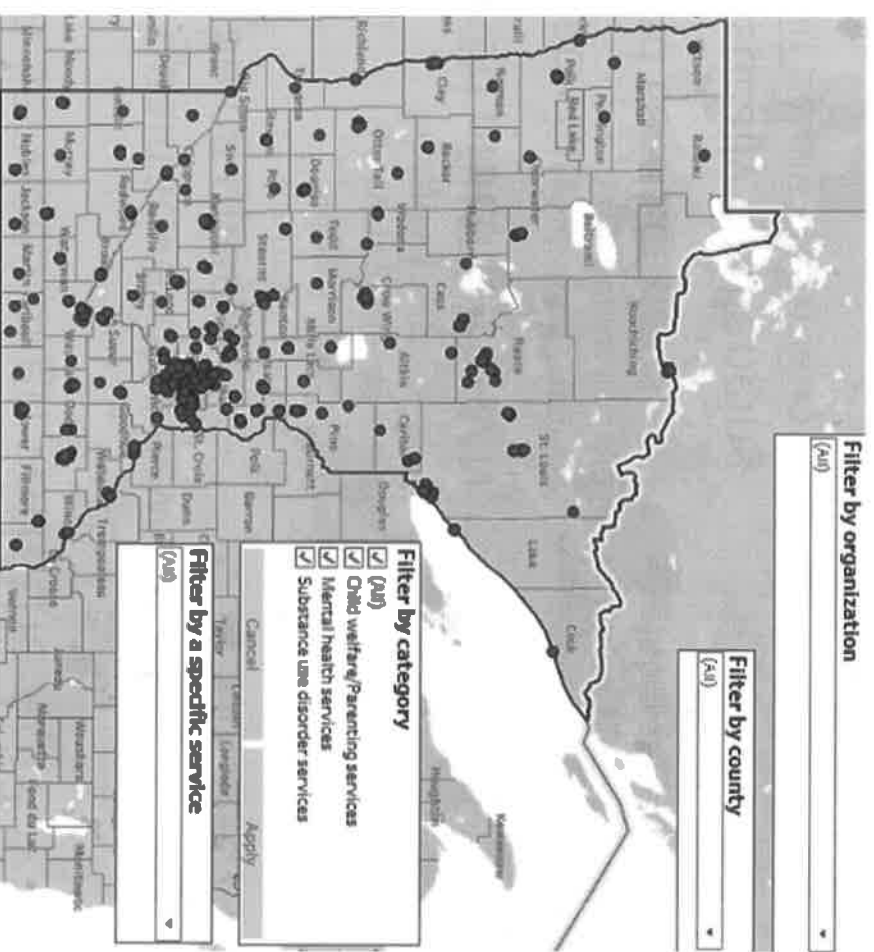
Mental Health	Substance Use	Parent Skills	Kinship Navigator
<ul style="list-style-type: none"> • Parent-Child Interaction Therapy • Trauma Focused-Cognitive Behavioral Therapy • Functional Family Therapy • Multisystemic Therapy 	<ul style="list-style-type: none"> • Families Facing the Future • Multisystemic Therapy • Methadone Maintenance Therapy 	<ul style="list-style-type: none"> • Nurse-family partnership • Parents as Teachers • Healthy Families America 	<ul style="list-style-type: none"> • [none approved yet]

Note: Multisystemic Therapy for Child Abuse and Neglect did not meet criteria

Survey results for Prevention Services

- Some of the prevention services being reviewed by the federal clearinghouse are provided in Minnesota

<https://mn.gov/mmb/results-first/survey.jsp>



Most commonly offered in Minnesota

Evidence-Based Practice	# of Providers	# of Locations
Mental Health		
Cognitive Behavioral Therapy (Youth)	52	143
Cognitive Behavioral Therapy (Adults)	49	146
Trauma Focused-Cognitive Behavioral Therapy (Youth)*	40	85
Substance Abuse		
Cognitive-Behavioral Coping Skills Therapy	69	145
Relapse Prevention Therapy	49	102
Motivational Interviewing for substance use disorder***	48	106
Parent Support		
Healthy Families America*	30	33
Nurse-Family Partnership*	26	43
Motivational Interviewing for child welfare	17	25

* Services approved by federal clearinghouse as of 7-24-19

***Services currently being reviewed

State's 5-year prevention plan requirements

- **Service description/oversight:** How State will assess children/their parents or kin caregivers to determine eligibility and describe HHS-approved services state will provide, including:
 - whether services are rated as promising, supported, or well-supported by Clearinghouse
 - how implementation of services will be continuously monitored to ensure fidelity to practice model and to determine outcomes achieved
- **Evaluation strategy:** State must include well-designed and rigorous evaluation strategy for each service.
- **Monitoring child safety:** State must describe how it will monitor/oversee safety of children receiving services, including periodic risk assessments throughout 12-month period of prevention services.

What are we doing?

- Completed basic development work, surveys and data queries
 - Evidence-based prevention services array and capacity
 - Residential facility requirements/assessment standards
- Received approval from Legislature for staffing and support for planning/implementation phase
- Received approval from Legislature to align MN law with federal requirements
- Working on outreach and coordination with our county, tribal and provider partners
- Hosting public planning meetings with stakeholders and community representatives

Program implementation steps underway

- Governance
 - Active discussions underway regarding decision-making to guide implementation
- Stakeholder engagement
 - Meetings of Advisory Steering Committee July 29th and Sept. 9th
- Pending decisions and inputs above
 - Computer systems changes in design stage
 - Federal claiming and reporting in design stage
 - State prevention plan development
- Enhanced background checks
- Statewide kinship navigator development
- Strengthening of reunification efforts

Legislative approval for support

- Two positions will focus on culturally appropriate prevention and early intervention services for American Indian families and African American families.
- One will focus on linking to Health Care – Medical Assistance/Managed Care Organization contracts for access and reimbursement to a full array of mental health and substance abuse placement prevention services.
- Two positions to lead development of residential facility requirements and to develop policy regarding assessment standards for residential services in coordination with the Behavioral Health Division.
- One foster care policy position to develop and maintain statewide kinship navigator program information to assist kinship caregivers in learning about finding and using programs and services to meet the needs of children they are raising and to develop reunification policy consistent with FFPSA.
- One fiscal operations position to develop and manage Title IV-E claiming and federal reporting changes for Foster Care, Adoption Assistance, Guardianship Assistance, Prevention Services, and Kinship Navigator Program.
- One Licensing Division position to ensure impact on regulatory part of DHS is fully considered and incorporated into analysis for implementation of significant policy changes.

Family First Timeframes

State Fiscal Year		SFY 19	SFY 20	SFY 21	SFY 22	SFY 23
Federal Fiscal Year		FFY 19	FFY 20	FFY 21	FFY 22	FFY 23
Calendar Year		CY 19	CY 20	CY 21	CY 22	
Month	J-18 A-18 S-18 O-18 N-18 D-18 J-19 F-19 M-19 A-19 M-19 J-19 J-19 A-19 S-19 O-19 N-19 D-19 J-20 F-20 M-20 A-20 M-20 J-20 J-20 A-20 S-20 O-20 N-20 D-20 J-21 F-21 M-21 A-21 M-21 J-21 J-21 A-21 S-21 O-21 N-21 D-21 J-22 F-22 M-22 A-22 M-22 J-22 J-22 A-22 S-22 O-22 N-22 D-22					
Effective 1/1/18	←	↑	↑	↑	↑	↑
Delay of Adoption Ass't Phase-In		2019 Session ends	Session ends	2020 Session	Session ends	2021 Session
Effective 10/1/18	↑	1. Foster care main pay for children with parents in licensed SUDSI 2. Criminal recidivism checks for adults working in child care inst's.	↑	Effective 10/1/19	↑	Effective 10/1/21
←				Earliest states can claim IV-E option for prevention services but must meet other requirements in order to do so	↑	New restrictions on IV-E foster care maintenance payments
Effective 2/28/18		1. Proof of foster care 2. Protocols to prevent inappropriate deals 3. Req related to child maltreatment	↑	1. Cost preventing juv just pop increases 2. Limits on IV-E foster care pay for placements that are not foster family homes 3. Limit on # of children in a foster home 4. CRIP requirements	↑	Later: Effective 10/1/27
		Fed P reversion Guidance issued	↑		↑	1. Electronic interstate case processing system
		↑			↑	
		2/4/2018			Final model form foster home licensing stds issued	
					MW Target Date 7/1/21	

Federal Children's Bureau Chronology of Instructions

- ★ • **April 12, 2018:** Info Memo ACYF-CB-IM-18-02 : basic information/overview of FFPSA
- **May 31, 2018:** Program Instruction ACYF-CB-PI-18-06 addressed amendments to title IV-B of Social Security Act and Chafee Foster Care Independence Program
- ★ • **July 9, 2018:** Program Instruction ACYF-CB-PI-18-07 addressed title IV-E Foster Care, Prevention, and Permanency Program state plan requirements
- **November 16, 2018:** Information Memo ACYF-CB-IM-18-05 strongly encouraged primary prevention networks and approaches to strengthen families and prevent maltreatment and unnecessary removal of children from their families.
- ★ • **November 30, 2018:** Program Instruction ACYF-CB-PI-18-09 to States [and ACYF-CB-PI-18-10 to Tribes] on title IV-E prevention services provisions of FFPSA, included guidance on requirements, described federal Family First Prevention Services Clearinghouse process.
- **November 30, 2018:** released ACYF-CB-PI-18-11 instructed title IV-E agencies on requirements for participating in Title IV-E Kinship Navigator Program.

Instructions (cont.)



- **November 30, 2018:** Program Instruction ACYF-CB-PI-18-12 for reporting quarterly financial information on title IV-E Foster Care, Adoption Assistance, and Guardianship Assistance, Kinship Navigator and Prevention Services Programs.
- **January 2019:** Program Instruction ACYF-CB-PI-19-01 regarding funding available for developing, enhancing or evaluating Kinship Navigator Programs.
- **February 2019:** Program Instruction ACYF-CB-IM-19-01 regarding National Model Foster Family Home Licensing Standards.
- **April 26, 2019:** ACF Office of Planning, Research & Evaluation issued The Prevention Services Clearinghouse Handbook of Standards and Procedures.
- **July 18, 2019:** Program Instruction ACYF-CB-PI-19-06 regarding transitional payments for title IV-E prevention services and programs.
- **August 1, 2019:** issued Information Memorandum ACYF-CB-IM-19-03 regarding Engaging, empowering, and utilizing family and youth voices

Questions?

Ralph McQuarter

Ralph.McQuarter@state.mn.us

651-431-5826

