



## **Family First Prevention Services Act**

### ***Brief Summary***

### ***Implications for Grandfamilies***

The Family First Prevention Services Act (Family First) became federal law on February 9, 2018, as part of the Bipartisan Budget Act of 2018. Family First is a landmark child welfare law that aligns with the principle that children do best in families.

Although Family First addresses an array of services and programs, this brief summary focuses solely on the several provisions specifically important for grandfamilies. These provisions take effect on October 1, 2019 with some exceptions as noted below in this summary.

#### **Allows for federal reimbursement for prevention services and programs**

For the first time, this Act will allow federal child welfare dollars to be used for up to 12 months of services and programs to prevent children from entering foster care by supporting the triad of generations in grandfamilies - children, kinship caregivers and parents. The children can get services if they are “candidates” for foster care who are at imminent risk of entering care and can safely remain at home with parents or with kinship caregivers. This includes children whose adoption or guardianship is at risk of disruption or dissolution. Kinship caregivers or parents of the children can also get services if they are needed to prevent the children’s entry into care. Children and families can receive these services more than once if the child is again identified as a candidate for foster care.

The prevention services and programs include:

- mental health treatment
- substance abuse prevention and treatment
- in-home parent skill-based supports

#### **Provides federal support for kinship navigator programs**

States can receive federal reimbursement for up to 50% of their expenditures to provide kinship navigator programs that meet certain evidence-based requirements. This federal support is available regardless of whether the children for whom the services are being accessed meet certain income eligibility requirements for Title IV-E foster care funding.

#### **Seeks to improve licensing standards for relative foster family homes**

The Secretary of HHS must identify a model of family foster home licensing standards by October 1, 2018 ([Model Family Foster Home Standards](#) developed by NARA, Generations United and the American Bar Association are available at [www.grandfamilies.org](http://www.grandfamilies.org)). By April 1, 2019, each state must report to HHS on the following:

- are the state standards in accord with the model and if not, why not?
- does the state waive non-safety licensing standards for relatives, as allowed by federal law?
- which standards does the state most commonly waive?

- if the state does not waive, why not?
- how are caseworkers trained to use the waiver authority?
- does the state have a process or tools to assist caseworkers in waiving non-safety standards so they can place quickly with relatives?
- what steps are the state taking to improve caseworker training or the process?

### **Works to ensure that each child in foster care gets a family**

If children need to come into the custody of the child welfare system, the law encourages the placement of children in foster care in the least restrictive, most family-like settings appropriate to their needs by not allowing the use of federal funds for inappropriate group placements as of October 1, 2019, although a state may request a delay for up to two years. Federal funds may only be used for a few specific types of group placements, including a qualified residential treatment program (QRTP).

An important component of the appropriate use of QRTPs is the need to maintain family connections. To be considered such a program, the program must facilitate outreach to the child's family members, including siblings and close family friends known as "fictive kin"; and the child's family must be a part of the child's treatment, including family-based support for at least six months post-discharge. As part of the assessment to determine if a QRTP placement is necessary, the placement preferences of the family must be considered, and children must be placed with their siblings unless it is not in their best interest. If the placement preferences of the family are not followed, the reasons must be documented as part of that assessment process.

### **Improves Interstate Placements**

The Act expedites interstate placement of children in foster care, adoption or guardianship by requiring states to use an electronic interstate case-processing system by no later than October 2027 for exchanging related data and documents.

### **Extends child and family services programs**

The Act extends funding for five years (fiscal years 2017-2021) for two critical service programs for children and families in the child welfare system-- The Stephanie Tubbs Jones Child Welfare Services Program and The Promoting Safe and Stable Families Program.

### **Improves the John H. Chafee Foster Care Independence Program**

The Act extends to age 23 the financial, housing, counseling, employment, education, and other appropriate supports and services to former foster care youth. It further extends eligibility to age 26 for Education and Training Vouchers.

### **Reauthorizes the Adoption and Legal Guardianship Incentive Program**

The Act reauthorizes for five years the Adoption and Legal Guardianship Incentive Payment program, which allows states to receive incentive payments based on improvements in increasing exits from foster care to adoption or kinship guardianship.

This summary was originally adapted from the Children's Defense Fund's detailed summary of the Family First Prevention Services Act of 2016, available at [www.childrensdefense.org](http://www.childrensdefense.org), and the Generations United detailed summary of the Act's grandfamilies' provisions, available at [www.gu.org](http://www.gu.org).