



Consolidated Appropriations Act of 2021: Implications for Grandfamilies

Brief Summary

On December 27, 2020, [the Consolidated Appropriations Act, 2021 \(the Act\)](#) was signed into law. The Act combines \$1.4 trillion to fund the federal government for fiscal year 2021 and a \$900 million COVID-19 relief package. The law contains several important provisions that have implications for grandfamilies or kinship families (families in which grandparents, other relatives or close family friends are raising children.)

This summary of the Act, divided by the relevant divisions and titles of that law, highlights provisions specifically designed to help grandfamilies and provides opportunities for the child welfare system to better support these families. In addition to provisions in this summary, the Act includes additional investments and expansions in supports and programs that may help eligible grandfamilies, such as child care, food and nutrition assistance, housing, violence prevention and domestic violence services, mental health services and special supports for children who have experienced trauma.

Division H, Title II - Appropriations for Department of Health and Human Services

- **For the fourth consecutive year, provides \$20 million for states, territories, and eligible tribes to develop, enhance or evaluate kinship navigator programs** as first described in the Fostering Connections to Success and Increasing Adoptions Act of 2008 (42 USC §627(a)(1)).

Programs must:

- Coordinate with other state or local agencies that promote service coordination or provide information and referral, such as 2-1-1 and 3-1-1.
- Plan and operate with kinship caregivers, youth raised by kinship caregivers, government agencies, and community and faith-based organizations.
- Establish information and referral systems that link kinship caregivers, support group facilitators and providers to each other, public benefits, training and legal assistance.
- Provide outreach to kinship care families, including through a website.
- Promote partnerships between public and private agencies.

Programs may also:

- Establish and support a kinship care ombudsman.
 - Support any other activities designed to assist kinship caregivers obtain benefits and services.
- **Requires that a minimum grant award for kinship navigator programs shall be \$200,000 for states and territories and \$25,000 for tribes.**
 - **Describes that these funds are made available to assist states, territories and tribes in having their kinship navigator programs meet the evidence-based requirements as described in the Family First Prevention Services Act of 2018 (42 USC §671(e)(4)(c).**

- **Provides \$2.75 million for the Title IV-E Prevention Services Clearinghouse.** These funds could help the Clearinghouse respond to questions and review additional programs more rapidly including kinship navigator programs and other services that help grandfamilies.

Division L , Title II - Appropriations for Department of Housing and Urban Development

- **Provides \$5 million to expand the supply of intergenerational dwelling units for older caregivers raising children.** Intergenerational dwelling units are defined by in section 202 of the LEGACY Act of 2003 (12 USC §1701q note). These housing units must serve families where a grandparent(s) or other relative(s) who is age 62 or older is raising a child(ren) who is their relative. Units must have at least two bedrooms and be equipped with design features to meet the special physical needs of older people as needed and the needs of young children. The projects must ensure that occupants are provided a range of services that are tailored to meet the needs of older people, children and intergenerational families.

Funds for development of the intergenerational dwelling units will be administered through the Department of Housing and Urban Development. Nonprofit organizations will be eligible to apply through an application process. For more information about these types of housing developments, see Generations United’s [A Place to Call Home](#).

Division X – Supporting Foster Youth and Families Through the Pandemic Act

The Act contains the bipartisan Supporting Foster Youth and Families through the Pandemic Act (H.R.7947), which was introduced by Chairman Danny Davis (D-IL) and Ranking Member Jackie Walorski (R-IN) of the Worker and Family Support Subcommittee of the House Ways and Means Committee. It provides critical relief to relatives raising children, young people in or aging out of foster care, vulnerable children and families in or at risk of entering foster care, and makes investments to help state and tribal child welfare agencies adjust practice in response to the pandemic.

Kinship Navigator Programs Pandemic Flexibility

Section 8 of the Act includes the provisions specifically targeted toward helping grandfamilies. It focuses on the ability of kinship navigator programs to reach more kinship caregivers raising children and provide critical supports to these families, particularly those who are older and more susceptible to the COVID-19 virus. Specifically the Act:

- ***Provides 100 percent federal reimbursement for states, territories and tribes use to carry out kinship navigators including the following activities and services:***
 - Evaluations, independent system review, and related activities;
 - Short-term support for direct services or assistance; and
 - To ensure that kinship caregivers have the information and resources to allow kinship families to function at their full potential, including
 - Access to information and resources for necessities (i.e. food, safety supplies, testing and treatment for COVID-19);
 - Access to technology to support remote learning or other activities that must be carried out virtually due to COVID-19;

- Health care and other assistance (including legal assistance and assistance with making alternative care plans for the children in their care if the caregiver is unable to care for the children);
 - Services to kin (including for those outside of the formal child welfare system);
 - Assistance to allow children to continue safely living with kin.
- ***Temporarily waives the evidence-based requirement tied to Title IV-E reimbursement for programs through the COVID-19 public health emergency period (April 1, 2020 through September 30, 2021).*** Jurisdictions must provide assurances that the program will be, or is in the process of being, evaluated for building an evidence-base to later meet the requirements established in the Family First Prevention Services Act of 2018 (Family First).

Family First provides 50 percent ongoing federal reimbursement for kinship navigator programs that meet certain requirements including being identified as a “promising,” “well-supported” and “supported” evidence-based program by the Title IV-E Prevention Services Clearinghouse. However, conducting the evaluation and providing the required documents to meet the complex requirements of the Clearinghouse requires substantial time and resources. At the time the Consolidated Appropriations Act of 2021 was signed into law, no Kinship Navigator Program had been approved by the Clearinghouse. Until a program is approved no jurisdiction is able to access the federal support authorized through Family First. By temporarily waiving the evidence-based standards, these programs can receive critical funding to help them serve families during the pandemic, while they are building the evidence base for their programs.

Continued Safe Operations of Child Welfare Programs and Support for Older Foster Youth

Expands Support for Eligible Youth Currently or Formerly in Foster Care: Youth in foster care with relatives or who leave foster care after age 14 to adoption or guardianship are eligible for support that was expanded for the John H. Chafee Foster Care Program for Successful Transition to Adulthood. The Act provides additional funds for the program which supports states to help eligible youth with a range of services including:

- **Education and training vouchers to pay for postsecondary education costs**, including less than full-time matriculation costs and other expenses that are not part of the cost of attendance but help youth remain enrolled.
- **Driving and licensing support** such as vehicle insurance costs, driver’s education classes and testing fees, practice lessons, practice hours, license fees, roadside assistance, deductible assistance, and assistance in purchasing an automobile
- **Eligibility for the Chafee program is expanded to age 27 during 2020 and 2021.**

Family First Prevention Services Program Pandemic Flexibility

Temporarily increases the federal reimbursement rate up from 50 percent to 100 percent for the Title IV-E Prevention Program, created under Family First , for the duration of the COVID-19 public health emergency period (April 1, 2020 through September 30, 2021). Training and administrative costs are also eligible for federal reimbursement which could include training for child welfare agency staff to better serve grandfamilies.

Emergency Funding for the MaryLee Allen Promoting Safe and Stable Families Program

Provides an additional \$85 million through FY2021 to Title IV-B, Part 2 the MaryLee Allen Promoting Safe and Stable Families Program. Among other uses, these funds may be used to help grandfamilies access services and supports to stabilize families. This includes grandfamilies who have not had contact with the child welfare system.

Court Improvement Program

Reserves \$10 million from the additional Promoting Safe and Stable Families Program funds for the Court Improvement Program through FY2021. These flexible funds shall be used for activities related to the COVID-19 public health emergency, such as technology investments, trainings to facilitate remote hearings, and programs to help families avoid delays in legal proceedings as a result of COVID-19. Kinship Navigator programs could work directly with Court Improvement Programs to help streamline the process for kinship families or to better include kin in the legal process.

Division FF -Simplification of the Free Application for Federal Student AID (FAFSA)

Makes several significant changes to the (FAFSA) form to help streamline the process for youth with experience in foster care and unaccompanied homeless youth. The provisions in this simplification take effect on July 1, 2023.

Division Q -Fostering Stable Housing Opportunities Act

The law includes the bipartisan Fostering Stable Housing Opportunities Act (H.R.4300/S.2803), which makes it easier for youth aging out of the foster care system who are at risk of homelessness to access Family Unification Program (FUP) housing vouchers by allowing them to apply for housing assistance prior to aging out of care and giving them top priority for that assistance. This could help youth who are aging out of foster care with relatives access housing assistance.

For questions contact Generations United at gu@gu.org and learn more about policy supports for grandfamilies at www.gu.org and www.grandfamilies.org. This summary includes language adapted with permission from the Children's Defense Fund's detailed summary of the Child Welfare Provisions of the Consolidated Appropriations Act of 2021 available at www.childrendefense.org.