

Family First Prevention Services Act and Juvenile Justice

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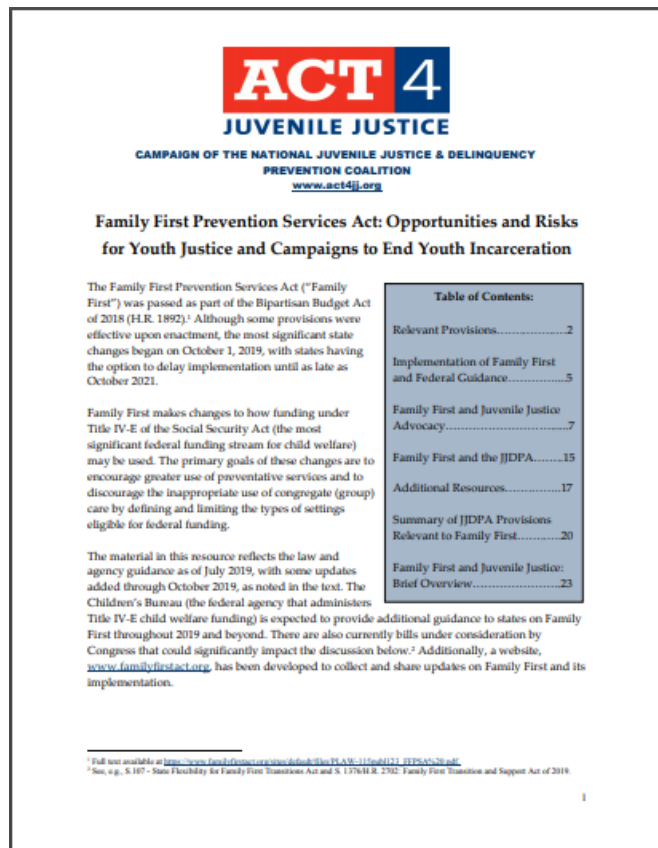
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Agenda

- Overview of the Law
- Prevention of Entry Into Foster Care
- Limitations on Funding for Out-of-Home Care
- Implementation
- Impact
- Q & A

Key Resource on Family First and JJ



Family First Prevention Services Act:

Opportunities and Risks for Youth Justice and Campaigns to End Youth Incarceration

http://www.act4jj.org/sites/default/files/resource-files/Family%20First%20Act_and_JJFinalForPosting.pdf

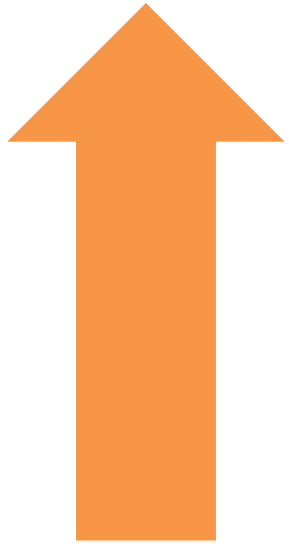
Prepared for Act4JJ by Lisa Pilnik on behalf of Youth First,
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Family First Prevention Services Act

- Part of the Bipartisan Budget Act of 2018 (H.R. 1892)
- Most significant provisions effective October 1, 2019
 - Option to delay as late as October 2021 (most states chose to delay)
- Changes how Title IV-E of the Social Security Act funding may be used

Family First: Goals



Greater
use of
preventative
services to
keep families
together



Discourage
the
inappropriate
use of
congregate
(group) care

Family First: Preventative Services

- Prevention of **foster care**
- Must be a “candidate” for care
 - Family First says a candidate is: “at imminent risk of entering foster care...but who can remain safely in the child’s home or in a kinship placement as long as services or programs specified...that are necessary to prevent the entry of the child into foster care are provided.”
- Youth in foster care who are pregnant and parenting can also be served

Family First: Preventative Services

- Types of services jurisdictions can use IV-E to **partially** fund:
 - Mental health
 - Substance abuse
 - Parenting programs
- Evidence requirements
 - Must be rated promising, supported, or well-supported
 - Title IV-E Prevention Services Clearinghouse
 - MST, FFT, TF-CBT, Motivational Interviewing included already
 - Transitional payments/Transition Act

Family First: Preventative Services

- Title IV-E is payer of last resort (e.g., after Medicaid)
- Additional requirements around research, amount spent on different levels of evidence-based programs
- Some broader allowance for culturally competent services for tribal communities

Family First: Congregate Care

- IV-E cannot be used to fund group care for more than 2 weeks
- Key exceptions:
 - Programs for youth who've experienced, or are at risk of, commercial sexual exploitation
 - Specialized pregnant/parenting youth programs
 - Supervised Independent Living for 18+
 - Qualified residential treatment programs (QRTPs)
- Restrictions don't apply to family foster homes

Family First: Qualified Residential Treatment Programs

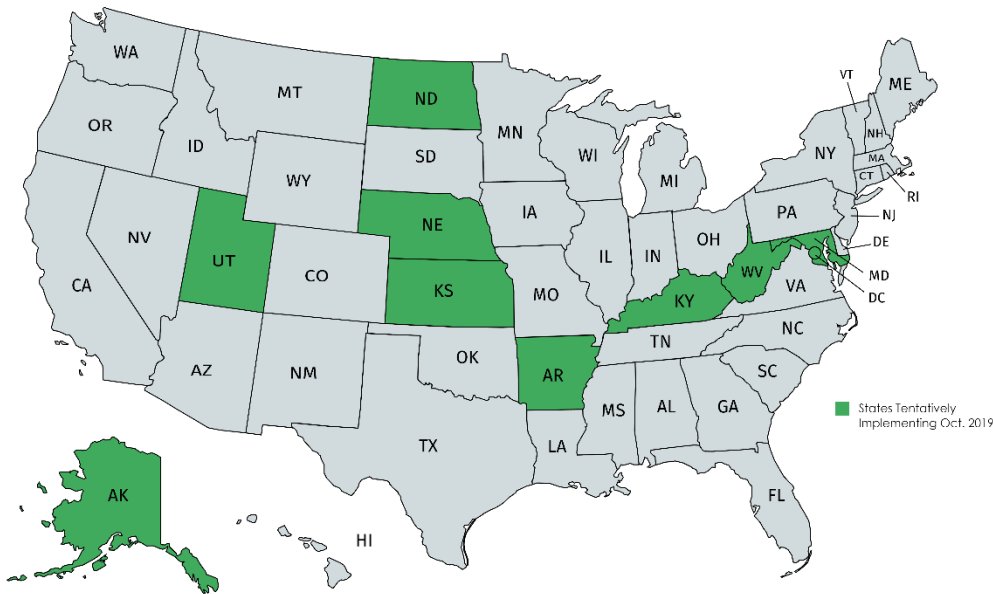
- Must be "“designed to address the needs, including clinical needs as appropriate, of children with serious emotional or behavioral disorders or disturbances.”
- Must be trauma-informed
- Nursing/clinical staff onsite according to the treatment model and staff available 24/7
- Licensing and accreditation requirements
- Other requirements (e.g., assessments) to ensure necessity

Family First: Other Provisions

- Juvenile Justice Certification
- Chafee Foster Care Program for Successful Transition to Adulthood
- Grant programs (e.g., foster family recruitment, evidence-based substance abuse services)

Note: This presentation is not an exhaustive overview of Family First, but rather focuses on the provisions most relevant to juvenile justice

Family First: Implementation



Depends on how the regulations are written

- Impact will be different state by state
- Prevention funding and out-of-home care limitations effective October 2019 - states can request up to a two-year delay

Family First: Candidacy for Prevention Services

- Washington State's Pathways to Prevention
 - Includes youth discharging from state Juvenile Rehabilitation services



A family that has identified Prevention needs has a series of ways they can receive assistance and services

CPS Family Assessment Response (FAR)

For cases where allegations are considered to be low to moderate risk and are non-emergency, the family would be eligible for a FAR assessment versus an investigation. If in addition, the child(ren) can remain safely in the home with the safety plan, the case remains in FAR for ongoing service provisions.

DCYF is considering an FFPSA prevention pilot with some FAR units as part of the implementation for the FFPSA Prevention plan.

CPS Family Voluntary Services (FVS)

After a CPS investigation, if the family is identified as being moderately-high or high risk (SDM) for future abuse or neglect and the child(ren) can remain safely in the home, the case is transferred to FVS.

FVS will develop a prevention plan, monitors ongoing safety, risk and progress and provides services to address the needs of the family.

This pathway is part of the initial implementation phase for the FFPSA Prevention plan.

Additional DCYF Program

There are multiple programs within DCYF that can provide Prevention support to families. Children on trial return home following placement, Family Reconciliation Services (FRS), youth discharged from state Juvenile Rehabilitation services and potentially others.

DCYF is interested in exploring how FFPSA Prevention services can support these families in these programs.

This pathway will be part of future implementation for the FFPSA Prevention plan.

Community

There are Washington Families that are not yet involved with Child Welfare, but may demonstrate risk factors for involvement

DCYF is interested in developing a pathway to ensure these children and families are supported in their communities.

We will look to our community partners to help in developing the best way to meet these families' needs.

This pathway will be part of the future implementation for the FFPSA Prevention Plan.

Family First: Candidacy for Prevention Services

- **Utah has an approved prevention plan!**
 - Child and family eligibility for the Title IV-E Prevention Program is determined through assessments conducted by caseworkers for the Division of Child and Family Services (DCFS) or the Division of Juvenile Justice Services (DJJS).
 - If a youth has a prior delinquency history, the youth and parents/guardians will be administered the Protective and Risk Assessment (PRA) and UFACET-Family Focused.
 - The PRA is used by Utah's juvenile justice system to determine risk to reoffend, need for supervision, protective factors, and need for services.
 - A youth is considered a candidate for foster care when a youth scores “moderate” or “high” on the PRA and is assessed as having one or more risk factors that identify the need for mental health, substance abuse, or in-home parenting skills services.
 - A youth is also considered a candidate for foster care when UFACET-Family Focused items are assessed as requiring action.

Family First: Implementation

Show me the clearinghouse!

www.preventionservices.abtsites.com

<https://www.acf.hhs.gov/opr/e/resource/the-prevention-services-clearinghouse-handbook-of-standards-and-procedures>



Family First: Current Clearinghouse Status

Mental Health:

- Parent-Child Interaction Therapy – *Well-supported*
- **Trauma-Focused Cognitive Behavioral Therapy - *Promising***
- **Multisystemic Therapy – *Well-supported***
- **Functional Family Therapy – *Well-supported***

Substance Abuse Prevention & Treatment:

- **Motivational Interviewing – *Well-supported***
- Multisystemic Therapy – *Well-supported*
- Families Facing the Future - *Supported*
- Methadone Maintenance Therapy – *Well-supported*

In-Home Parent Skill-Based (“in-home” defined broadly, where services can be delivered in groups and in community settings):

- Nurse-Family Partnership – *Well-supported*
- Healthy Families America – *Well-supported*
- Parents as Teachers – *Well-supported*

Kinship Navigator Programs:

- No programs currently meet criteria

***Approved for Transitional Payments:**

- Family Centered Treatment

Family First: Programs Under Review

Mental Health:

- Attachment and Biobehavioral Catch-Up [also listed under in-home parent skill-based]
- Brief Strategic Family Therapy [also listed under substance abuse and in-home parent-skill based]
- Child Parent Psychotherapy
- Incredible Years
- Interpersonal Psychotherapy
- Multidimensional Family Therapy [also listed under substance abuse and in-home parent-skill based]
- Triple P – Positive Parenting Program

Substance Abuse Prevention & Treatment:

- Brief Strategic Family Therapy [also listed under mental health and in-home parent skill-based]
- Family Behavior Therapy
- Multidimensional Family Therapy [also listed under mental health and in-home parent skill-based]
- Seeking Safety
- The Seven Challenges

In-Home Parent Skill-Based (“in-home” defined broadly, where services can be delivered in groups and in community settings):

- Attachment and Biobehavioral Catch-Up [also listed under mental health]
- Brief Strategic Family Therapy [also listed under mental health and substance abuse]
- Homebuilders
- Multidimensional Family Therapy [also listed under mental health and substance abuse]
- Nurturing Parenting
- SafeCare
- Solution Based Casework

Kinship Navigator Programs:

- Ohio's Kinship Supports Intervention/ProtectOHIO
- YMCA Kinship Support Services, YMCA Youth and Family Services of San Diego County

Family First: Legislation to Support Implementation

- The Family First Transition Act – passed into law December 20, 2019
 - Phase-in of 50 percent “Well-Supported” requirement for prevention services reimbursement
 - \$500 million in one-time, flexible transition funding to help states implement Family First – formula grants to states
 - Short-term funding certainty for 22 states with expiring waivers

Family First: What is the Impact

- Depends on what state you are in
 - Many states have passed legislation to support Family First Implementation
 - Many states have created stakeholder working groups to collaboratively implement the law
- New state matching dollars are required
- Access to the right care at the right time
 - Out-of-home care capacity is a challenge
- Potential impact on continuums of care
 - Interaction with Medicaid
 - Runaway and Homeless Youth Programs
 - Juvenile Justice

Family First:

Potential Positive JJ Impacts

- Preventing unnecessary out-of-home placement could (hopefully) lower crossover rates
- Could spur larger child welfare reforms
- Potential for broader community-based service array

Family First: Things to Watch For and Do

- Increased referrals to juvenile justice?
- Increased use of secure confinement?
- Local systems should closely track placement levels and locations

Juvenile justice stakeholders should engage in Family First planning and implementation efforts

Questions???

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