

THE DONALDSON ADOPTION INSTITUTE

January 17, 2014

U.S. House of Representatives
Ways and Means Committee Office
1102 Longworth House Office Building
Washington, D.C. 20515

Honorable Members of the Committee on Ways and Means:

The Donaldson Adoption Institute (DAI) appreciates the opportunity to comment on the Committee's December 20, 2013 "Preventing Sex Trafficking and Improving Opportunities for Youth in Foster Care" draft legislation. The Adoption Institute is an independent, nonpartisan policy and education nonprofit organization that conducts research and analysis in order to improve federal and state adoption-related laws, policies and practices. For instance, our report, ["Never Too Old: Achieving Permanency and Sustaining Connections for Older Youth in Foster Care,"](#) examines permanency initiatives for youth in foster care, finding we must implement steps to achieve better outcomes, including replicating successful adoptive parent and relative recruitment and support programs.

We are heartened to see that the Committee's draft legislation eliminates the "Another Planned Permanent Living Arrangement" (APPLA) option as a case plan goal for children under the age of 16 and imposes additional requirements on states for case plan approval and subsequent review when APPLA is the goal for youth 16 years of age and older. The Adoption Institute also appreciates the Committee's ongoing dedication to ensuring that youth in care have opportunities for permanency by adoption and guardianship through its Adoption Incentives reauthorization bill and Fostering Connections to Success and Increasing Adoptions Act of 2008.

As child welfare experts have noted, APPLA "is a goal that has become increasingly overused and inappropriately used as a default plan for many older adolescents in foster care....In many cases, the misuse of APPLA as a permanency goal has replaced what was formerly known as LTFC [long-term foster care] which was clearly deleted from the statute [by the Adoption and Safe Families Act]."ⁱ When APPLA is used as LTFC, youth effectively are relegated to temporary care and eventual "emancipation." There is a growing body of evidence that these young people fare poorly when they leave the child welfare system without permanency. Multiple studies of former foster youth have found that those who age out face high rates of poverty, unemployment and underemployment, young parenthood, inadequate housing and homelessness and physical and mental health challenges. Ten percent of youth (23,396) exiting care in FY2012 were "emancipated."

Of the 101,666 children and youth in temporary care who are waiting to be adopted, 5 percent have case plan goals of long-term foster care (20,047), and another 5 percent "emancipation" (20,305). Four percent of all children eligible for adoption are in group homes (3,677) and 5 percent are in institutions (5,334).

To improve the likelihood of permanency and stability for these youth in foster care, DAI recommends that the Committee require state agencies proposing and implementing APPLA case plans for youth to:

- Document intensive, ongoing child-focused adoptive parent and guardian recruitment efforts,
- Prioritize youth APPLA placements with foster parents, rather than group homes or institutions (with an exception for youth who need short-term in-patient treatment),
- Submit the types of “compelling reasons,” and numbers of each type, that are required under 45 CFR §1356.21(h)(3) for APPLA placements, as well as the use of child-specific adoptive parent and guardian recruitment, and search for biological relatives, prior to those placements, as part of Child and Family Service Reviews,
- Report case plan goals for AFCARS as APPLA, not long-term foster care, which under the Adoption and Safe Families Act, is not an acceptable case plan goal, and
- Replicate effective, evidence-based recruitment programs, such as Dave Thomas Foundation for Adoption’s child-focused Wendy’s Wonderful Kids (WWK), an evaluation of which found that for children referred to WWK at age 15, the likelihood of adoption was three times higher than those not served by WWK.

In addition, the Adoption Institute supports Voice for Adoption’s recommendations to require: agency identification of barriers to other permanency options, six month reviews of APPLA cases, a GAO study of APPLA cases, inclusion of child-focused recruitment in state plans, and HHS guidance to states on use of Title IV-E training funds for effective recruitment. We also recommend that the GAO report assess whether states’ APPLA placements are in effect long-term foster care placements.

Thank you for your continued leadership on child welfare and adoption issues, as well as your commitment to soliciting input from the field. Please feel free to contact me if you would like any additional information.

Sincerely,



Adam Pertman
President
617-332-8944
apertman@adoptioninstitute.org

cc: Ryan Martin, Human Resources Subcommittee Majority Staff
Nicholas Gwyn, Human Resources Subcommittee Minority Staff
MaryLee Allen, Children’s Defense Fund
Nicole Dobbins, Voice for Adoption
Joe Kroll, North American Council on Adoptable Children
Rita Soronen, Dave Thomas Foundation for Adoption
Kathleen Strottman, Congressional Coalition on Adoption Institute

ⁱ Jennifer Renne and Gerald P. Mallon, Facilitating Permanency for Youth, in Child Welfare for the Twenty-first Century: A Handbook of Practices, Policies, and Programs (2005).