

THE DONALDSON ADOPTION INSTITUTE

Donaldson Adoption Institute Comments on The Family First Prevention Services Act (FFPSA) June 27, 2016

The [Donaldson Adoption Institute](#) (DAI) respectfully submits the below comments in support of The Family First Prevention Services Act (S3065/HR5456) that would better align federal child welfare funding with the critical goals of enhancing family stability and preventing unnecessary foster care and institutional placements. DAI appreciates the bipartisan and bicameral leadership, commitment and efforts that yielded child welfare reform legislation dedicated to improving safety, permanency, and well-being outcomes for children in vulnerable families.

Since 1996, DAI has worked to improve the lives of children and families across our country through research, education and advocacy that has led to better laws, policies, practices and perceptions. We investigate the issues of greatest concern to first/birth parents, adopted persons, adoptive/foster families, the people who love them, and the professionals that serve them. We then determine best practices and offer policy recommendations working with a broad array of partners in educational efforts and advocacy campaigns.

Research and experience have highlighted the complexities of family instability and the benefits of prevention as the best strategy to solve that challenge. For those reasons, DAI supports the bill's use of federal dollars "to invest in funding prevention and family services to help keep children safe and supported at home, [and] to ensure that children in foster care are placed in the least restrictive, most family-like and appropriate settings." Keeping families together, whenever safely possible, is a critical public policy goal and in the best interests of children. DAI supports FFPSA as it advances the goals of strengthening family stability and enhancing child safety, permanency, and wellbeing, and, while we understand there likely will not be an opportunity for any changes to the legislation at this stage and do not wish to impede the bill's progress, we offer the below recommendations for consideration.ⁱ

ⁱ We limit our input to DAI's areas of focus and expertise, which concern adoption, guardianship, and kinship permanency options for children who cannot safely remain with their biological families.

THE DONALDSON ADOPTION INSTITUTE

Donaldson Adoption Institute Comments on The Family First Prevention Services Act (FFPSA) June 27, 2016

Federal Child Welfare Funding

While DAI recognizes that compromise is necessary and budget constraints are a reality, it is concerned that the relatively recent practice of maintaining the same level of total federal child welfare services' (CWS) spending ultimately is not cost-effective. By requiring that additional resources for expanded child welfare programs be allocated by shifting dollars from other CWS, more services are provided with the same amount of money. At the same time, the need in communities across the country grows. In 2014, the numbers of vulnerable children were (at least) at five-year highs, including child abuse and neglect referrals (3.6 million), investigations and alternative responses receiving dispositions (2.2 million), victims of maltreatment (702,000),¹ and children in foster care (415,129).² Moreover, as the House of Representatives noted with regard to FFPSA, "the nation is currently in the grips of an opioid epidemic, which according to many states is responsible for recent spikes in the need for out-of-home foster care placements after more than a decade of decline."³

With increased needs and numbers of children in vulnerable families and in temporary care, FFPSA prevention services funding to states would not be available for three years and states' adoption assistance-AFDC savings (\$74 million in 2015)⁴ and reinvestment in CWS would not be available for two-and-a-half years. These provisions effectively translate into decreased CWS funding.

Public opinion, however, indicates Americans want their elected representatives to increase investments in children. A 2014 Hart Research Associates national survey for the Children's Leadership Council found that four out of five (79%) respondents "favor Congress increasing funding for programs and services to meet children's needs" including their well-being. Majorities across ideologies and parties reflect that support: liberals (93%), Democrats (93%), moderates (84%), independents (82%), conservatives (65%) and Republicans (59%).⁵ Similarly, a 2014 American Viewpoint survey for First Focus found that three-quarters (77%) of American voters responded that Congress should not reduce funding for child abuse and

THE DONALDSON ADOPTION INSTITUTE

Donaldson Adoption Institute Comments on The Family First Prevention Services Act (FFPSA) June 27, 2016

neglect prevention in order to decrease the federal budget deficit (and two-thirds, 67%, felt strongly that such funding should not be decreased).⁶

FFPSA Title IVE Prevention Services

DAI is appreciative of FFPSA's acknowledgement that prevention services are key to supporting families, as well as its specific inclusion of adoptions and guardianships at risk of disruption or dissolution, and kinship caregiver navigator and support services. These provisions address the imbalance that Casey Family Programs identifies of \$4.8 billion federal government Title IV-E temporary care payments annually, compared to approximately \$652 million Title IV-B prevention and intervention services funding.⁷

FFPSA's expansion of Title IVE effectively would fund intervention services, however, because reimbursement is only available for children, and their families, who are "identified in a prevention plan ... as being at imminent risk of entering foster care." As a recent article in *Future of Children*, however, asserts "CPS [Child Protective Services] has limited ability to influence child health [including physical, social-emotional, behavioral, cognitive, and mental health and development], because it primarily intervenes only after harm has occurred and because a combination of resource constraints and a relatively narrow mandate means that CPS focuses on only a small proportion of children and families."⁸ Services that may become available after a family is in crisis and has come to the attention of the state due to abuse and neglect may be too late to prevent significant harm to children and optimize chances for family stability. Additionally, FFPSA funds limited categories of services -- "mental health and substance abuse prevention and treatment services" and "in-home parent skill-based programs" -- and Medicaid largely covers treatment services already.

In general, DAI encourages Congress to dedicate resources to prevent instability before children are at "imminent risk" of removal from their families and entering foster care, as Title IVB recognizes by funding a continuum of services. Comprehensive primary and secondary

THE DONALDSON ADOPTION INSTITUTE

Donaldson Adoption Institute Comments on The Family First Prevention Services Act (FFPSA) June 27, 2016

prevention approaches, directed to the general public and populations with risk factors associated with child maltreatment, such as parent education and support programs focused on teen parents, or those in substance abuse treatment programs, and resource centers that provide information and referral services to families in need, identify and address risks before state involvement. Early prevention programs can circumvent the negative impacts of instability on children and entail less intensive and less costly services than interventions to address crisis situations. They also can be tailored to address the most common reasons that children enter care at different stages -- neglect and parental substance abuse for children from birth to age five and child behavior problems for teens.⁹ Comprehensive prevention services could reduce the \$124 billion lifetime costs of substantiated cases of child maltreatment that occur each year.¹⁰

Additionally, in order for services to be available to children and families in need under FFPSA, states must elect to provide them, receiving only 50 percent federal reimbursement for several years, a lower rate than foster care and adoption Title IVE matches. Offering states the option of using, instead of mandating, Title IVE reduced matching funding for prevention likely will result in less than full participation, as it has with the optional Guardianship Assistance Program (GAP). Established nearly ten years ago and with higher reimbursement rates than offered for prevention, just 33 states have approved Title IVE GAP plan amendments.¹¹

DAI suggests that eligible children and prevention services be defined to prevent harm to children at earlier stages and maximize the opportunity for vulnerable families to maintain stability, as well as provide states enhanced resources to offer prevention services to preclude diminished participation. Accordingly, DAI recommends deleting “imminent” from “imminent risk” of removal from their families in the definition of “candidate for foster care,” expanding services to include those such as childcare, after-school care, and other resources that could mitigate the risk of neglect, and requiring states to provide prevention services under Title IVE.

THE DONALDSON ADOPTION INSTITUTE

Donaldson Adoption Institute Comments on The Family First Prevention Services Act (FFPSA) June 27, 2016

FFPSA Title IVB Promoting Safe and Stable Families Funding

DAI is pleased that FFPSA reauthorizes Adoption and Guardianship Incentives and Promoting Safe and Stable Families (PSSF). Promoting Safe and Stable Families authorized funding remains at \$345 million mandatory and \$200 million discretionary funding levels, yet despite those authorization levels in 2016, total PSSF funding was \$381 million, a decrease of 10 percent from 2012.¹² As the House recognized, “Even though it is often less expensive and more effective, federal support for prevention services that can keep the child safe at home is extremely limited.”¹³

While DAI is appreciative that Title IVE expansion would supplement Title IVB, it overlaps with parts of Title IVB family preservation at the final juncture and family reunification in the case of kids in temporary care with kin, so would support only parts of two of four Title IVB purposes and is time-limited. FFPSA also would add foster family support and retention to family support services without providing more funding.

Because PSSF funds four distinct and critical child welfare services, and within those primary, secondary and tertiaryⁱⁱ prevention services that preclude entry or reduce the length of time children and youth spend in foster care, increasing funding could result in reduced Title IVE foster care, adoption and prevention costs. As Casey Family Programs concluded, “Research literature shows that PSSF services can be effective if they are faithful to evidence-based models or include certain elements found to increase the likelihood of success.”¹⁴

Enhanced investment also would allow Congress to strengthen PSSF adoption promotion and support, which already funds two separate services in one funding category. It is critical to increase adoption support because post-adoptive families present different needs than biological families -- in addition to trauma of past abuse and neglect there are issues of loss, grief, attachment and identity. Moreover, studies on child welfare adoptive families indicate that

ⁱⁱ Cases in which maltreatment has already occurred.

THE DONALDSON ADOPTION INSTITUTE

Donaldson Adoption Institute Comments on The Family First Prevention Services Act (FFPSA) June 27, 2016

providing services early in placement is linked to more positive outcomes¹⁵ and evaluations of post-adoption services (PAS) conclude that being able to receive services for as long as they are needed, rather than for a time-limited period, is linked with more positive outcomes.¹⁶ Yet, as recent DAI research found:ⁱⁱⁱ 13 states offer minimal PAS (no special services for adoptive families other than subsidy); 19 offer moderate PAS (some mid-level services developed, such as training or support groups); and just 17 offer substantial PAS (several services developed, including some type of specialized counseling program).¹⁷ Adoption promotion is equally important for its role in recruiting qualified adoptive parents.

For all of these reasons, to fully leverage PSSF's potential for impact (even with the addition of Title IVE prevention funding), DAI recommends an increased investment in PSSF.

Additional FFPSA Provisions

DAI also appreciates inclusion of and supports the following specific provisions:

- Expediting interstate placements by facilitating the development of an electronic interstate case-processing system for the exchange of data and documents to facilitate foster, guardianship, and adoptive placements,
- Investing in promising, supported, or well-supported programs,
- Requiring GAO to report on states' de-link savings' reinvestment, including on post-adoption services,
- Reducing unnecessary institutional placements,
- Adding grants for foster parent recruitment and retention, and
- Expanding the Chaffee Independent Living program and student voucher eligibility.

With regard to data collection requirements, DAI recommends requiring states to provide relevant data elements to be included in the Adoption and Foster Care Analysis and Reporting System (AFCARS) and Child and Family Services Reviews (CFSRs).

ⁱⁱⁱ DAI assessed 49 states' level of PAS provision based on state child welfare agency survey responses.

THE DONALDSON ADOPTION INSTITUTE

Donaldson Adoption Institute Comments on The Family First Prevention Services Act (FFPSA) June 27, 2016

DAI is grateful for the bipartisan and bicameral commitment that produced significant child welfare reform legislation to improve safety, permanency, and wellbeing for children in vulnerable families. We support The Family First Prevention Services Act and thank you for the opportunity to submit comments. Please feel free to contact us with any questions or for additional information.

April Dinwoodie
Chief Executive
Donaldson Adoption Institute
(212) 925-4089
adinwoodie@adoptioninstitute.org

Georgia Deoudes
Senior Policy and Advocacy Consultant
gdeoudes@adoptioninstitute.org

¹ U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2016). Child maltreatment 2014. Available at:

<http://www.acf.hhs.gov/programs/cb/research-data-technology/statistics-research/child-maltreatment>

² U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (Sept. 2015). The AFCARS Report No. 22, Preliminary FY1 2014 Estimates as of July 2015. Available at: <http://www.acf.hhs.gov/sites/default/files/cb/afcarsreport22.pdf>

³ H.Rept 114-628. Available at: <https://www.congress.gov/114/crpt/hrpt628/CRPT-114hrpt628.pdf>

⁴ Child Welfare League of America. (2016). Federal Fiscal Year 2015 Adoption Savings Data. Available at: <http://www.cwla.org/wp-content/uploads/2016/06/Adoption-Savings-FFY-2015-Data-FINAL-June-2016-2.pdf>

⁵ Hart Research Associates. (2014). Findings from National Survey on Children's Programs. Available at: <http://www.childrenleadershipcouncil.org/storage/documents/clc%20memo%202014.pdf>

⁶ Kanevsky, D. American Viewpoint. (2014). 2014 Children's Budget Summit Opinion Research Presentation. Available at: <https://firstfocus.org/resources/presentation/2014-childrens-budget-summit-opinion-research-presentation/>

⁷ Casey Family Programs. (2016). Available at: <http://www.casey.org/media/federal-investments-in-child-welfare.pdf>

⁸ Berger, L. & Font, S. (2015). The Role of the Family and Family-Centered Programs and Policies. *Future of Children* (25) (1). Available at: http://www.princeton.edu/futureofchildren/publications/docs/25_1_chapter7.pdf

⁹ Casey Family Programs. (2015). Prioritizing Early Childhood to Safely Reduce the Need for Foster Care: A National Scan of Interventions, available at: <http://www.casey.org/media/prioritizing-early-childhood.pdf>

¹⁰ Fanga, X., Brown, D., Florence, C., Mercy, J. The economic burden of child maltreatment in the United States and implications for prevention. (2012). *Child Abuse & Neglect* 36, 156–165. Available at: http://ac.els-cdn.com/S0145213411003140/1-s2.0-S0145213411003140-main.pdf?_tid=6fbbc6ec-3982-11e6-b89e-00000aab0f02&acdnat=1466714486_34e87817e4186bb3bfec219e44b532dd

¹¹ As of March 2016. U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2016). Title IV-E Guardianship Assistance. Available at: <http://www.acf.hhs.gov/programs/cb/resource/title-iv-e-guardianship-assistance>

THE DONALDSON ADOPTION INSTITUTE

Donaldson Adoption Institute Comments on The Family First Prevention Services Act (FFPSA) June 27, 2016

¹² U.S. Department of Health & Human Services, Administration for Children and Families, (2016). Justification of Estimates for Appropriations Committees. Available at:

https://www.acf.hhs.gov/sites/default/files/olab/final_cj_2017_print.pdf

¹³ H.Rept 114-628. Available at: <https://www.congress.gov/114/crpt/hrpt628/CRPT-114hrpt628.pdf>

¹⁴ Casey Family Programs. (2011). The Promoting Safe and Stable Families Program. Available at: <http://www.casey.org/media/PromotingSafeandStableFamilies.pdf>

¹⁵ Houston, D. M., & Kramer, L. (2008). Meeting the Long-Term Needs of Families Who Adopt Children out of Foster Care: A Three-Year Follow-Up Study. *Child Welfare*, 87(4), 145-170.

¹⁶ Atkinson, A., & Gonet, P. (2007). Strengthening adoption practice, listening to adoptive families. *Child Welfare*, 86(2), 87-104; Gibbs, D., Siebenaler, K., & Barth, R. P. (2002). Assessing the field of postadoption services: Family needs, program models, and evaluation issues. Summary report. U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, available at: <http://aspe.hhs.gov/hsp/post-adoption01/summary/report.pdf>

¹⁷ Donaldson Adoption Institute, Supporting and Preserving Adoptive Families: Profiles of Publicly Funded Post-Adoption Services. (2014). Available at: <http://adoptioninstitute.org/wordpress/wp-content/uploads/2014/04/Supporting-and-Preserving-Families.pdf>