

Overview of the Family First Prevention Services Act

The Family First Prevention Services Act (FFPSA) is the most substantial funding reform in the child welfare arena in the last 20 years. It aims to correct the value-policy mismatch perpetuated by the former funding system, which incentivized foster care placement and did not provide funding for noncustodial and prevention services. The new approach to funding incentivizes placing children in family settings; providing evidence-based services; and working with relatives who care for children in their families outside of the foster care system. FFPSA impacts a number of areas of child welfare practice, to varying degrees. The most critical elements are highlighted below.

Funding Services to Prevent the Need for Foster Care

FFPSA allows states to use federal funds to provide evidence-based prevention services in three areas: substance abuse treatment, mental health treatment, and in-home parenting skill development. Services may be federally funded for up to a twelve-month period, and families can receive services for multiple periods. There are three standards of evidence considered for these services: promising, supported, and well supported. In order to be reimbursed with federal dollars, half of the funding utilized on preventative services must be spent on those which fall into the well supported category. The Children's Bureau has released program instructions around how services will be evaluated, and a list of the initial 12 programs being reviewed for consideration. On June 6, 2019, the Children's Bureau released additional guidance allowing states with relevant partners, to assess all available services that are likely to be eligible for federal funding and identify the most critical needs throughout the state.

FFPSA also provides the flexibility to use federal funds to support kinship navigator programs. These programs connect people providing kinship care to community-based resources targeted at maintaining and stabilizing the relative placement. The programs must be evidence-based, and families must meet certain requirements in order to be eligible for federally funded services.

Foster Home Licensing and Placement in a Family Setting

The Children's Bureau released model foster home licensure standards which include new requirements for background checks in certain settings. FFPSA also establishes new guidelines for placement in Qualified Residential Treatment Programs (QRTP) and required quality and service provision standards for this placement type.

Other FFPSA Legislative Changes

FFPSA made modest changes to existing criteria related to Chafee funding, which assigns certain benefit eligibility to young people who experience foster care at age 14 or older. The Act also requires that states take appropriate actions to ensure that children are not misdiagnosed with mental illness or other disorders that could contribute to their being inappropriately placed in group care settings. Additionally, new requirements related to the collection and reporting of child maltreatment fatalities have been prescribed.

South Carolina's Implementation Status as of 3/5/2020 and Next Steps

The Children's Bureau released information memoranda and program instructions to provide states guidance for implementation of FFPSA. As information is received from the Children's Bureau, South Carolina Department of Social Services (SCDSS) is incorporating that information into ongoing planning. SCDSS is assembling workgroups that include critical stakeholders and partners to implement practices, policies, and programs to support FFPSA.

On April 28, 2019, SCDSS formalized its FFPSA governance structure and chartered an executive steering committee to oversee the statewide development and implementation. SCDSS has elected to form two focused FFPSA workgroups (Prevention and Care Continuum) which are comprised of both internal and external stakeholders. The workgroups are tasked with identifying service requirements, QRTP requirements, eligibility, geographic need, policy, funding, and other miscellaneous FFPSA requirements related to their respective areas. The two meetings are ongoing and continue to work toward program design and implementation.

On-Going Implementation Tasks and Activities

Prevention

On July 12, 2019, SCDSS convened the first meeting of its Title IV-E prevention services workgroup with representation from the Department of Mental Health (DMH), First Steps, Child Advocacy Centers, Project Best, Department of Alcohol and Other Drug Abuse Services (DAODAS), South Carolina Primary Health Care Association (SCPHCA), Department of Health and Human Services (DHHS), Department of Education (DOE), National Youth Advocate Program (NYAP), South Carolina Youth Advocate Program (SCYAP), Justice Works Behavioral Health Services, Carolina Youth Development Center (CYDC), SAFY, South Carolina Infant Childhood Mental Health Association (SCIMHA), Behavioral Health Services Association (BHSA; County 301s), Citizens Review Panel (CRP), A Child's Haven, Epworth Children's Home, the Palmetto Association for Children and Families (PAFCAF), and the SC Children's Trust. In addition to the previously mentioned organizations, the Department has added kin caregivers and is in the process of partnering with birthparents of children with lived experience in the SC child welfare system to serve in an advisory capacity to this group. The workgroup is responsible for assisting the Department in enhancing its service array through the identification and selection of IV-E eligible EBPs across the state. The workgroup was last convened on 2/11/2020 and will next meet on 4/1/2020.

The Department has partnered with the University of South Carolina's Institute of Families in Society and the South Carolina Department of Licensing, Labor, and Regulation (SCLLR) to develop and disseminate a survey to help the Department better understand the landscape of evidence-based practices, provider readiness, and provider self-efficacy with evidence-based practices across the state. On 2/22/2020, the SCLLR disseminated the survey via email, to all licensed professional counselors, marriage and family therapists, social workers, psychologist, psycho-educational specialists, addiction counselors, and physicians. Subsequently, the Department, PAFCAF, and the BHSA made their network providers aware of the survey. To date, over 2,000 individuals have responded. The survey will close on 3/15/2020.

On 3/3/2020, the Department convened a small subgroup of providers to assist in the development of a scope of work for a qualified provider listing to serve as a FFPSA pilot program and expand the Department's overall service array.

As of March 5, 2020, SCDSS is still working on developing practice guidelines, policy, reimbursement methodology, budget, service selection and mapping, provider qualifications, and defining eligible candidates for services.

Congregate Care and Qualified Residential Treatment Programs (QRTPs)

On November 6, 2019, SCDSS invited community partners and congregate care providers to participate in its FFPSA Care Continuum Workgroup (also known as the Private Provider Advisory Committee) to assist the agency in addressing congregate care provisions of FFPSA. The initial meeting date for this workgroup was on December 3, 2020 and providers and SCDSS staff came together to begin to draft guidelines in relation to the QRTP and other approved IV-E congregate care settings. These meetings will be ongoing and will elicit stakeholder input to move towards implementation of approved congregate care settings.

Additional IV-E approved congregate care placement setting meetings and discussions have taken place to discuss additional approved congregate care settings outside of the QRTP to include: “a setting specializing in providing prenatal, post-partum, or parenting supports for youth; in the case of a youth who has attained 18 year of age, a supervised setting in which the youth is living independently; and a setting providing high-quality residential care and supportive services to children and youth who have been found to be, or are at risk of becoming, sex trafficking victims.”

Family First Transition Act (FFTA)

On 12/19/2019 the Federal House and Senate passed the bipartisan budget agreement to fund the federal government for the remainder of Fiscal Year 2020. H.R. 1865 *the Further Consolidated Appropriations Act, 2020* was signed into law by President Trump on 12/20/2019. Total funding for the FFTA Grant is \$500M; it is estimated that South Carolina will receive \$8.6 million to assist in transitioning toward FFTA.

On 2/27/2020, the Association for Children and Families (ACF) released a program instruction (*ACYF-CB-PI-20-04*) to provide states with the relevant information needed to apply for FFTA grant funding.

The Department is in the early stages of drafting the grant application and plans to submit the application prior to the application deadline (4/30/2020). If transitional funding is awarded to the state, the Department intends to explore transitional initiatives including, but not limited to:

- Grants for transition to QRTP
- Grants for capacity building of EBPs included in our IV-E prevention plan
- Contract with a vendor to assist in technology changes
- Contract with a vendor to assist in FFPSA rigorous evaluation strategy and overall CQI process
- Contract with a vendor to assist in programmatic evaluation post-implementation
- Development and implementation of a transitional pilot program to expand departmental service array and improve access to evidence-based practices

Bi-Weekly Calls

On November 22, 2019, the Department began to host monthly calls with public providers and other stakeholders through the state to solicit feedback on SCDSS FFPSA efforts. These calls are ongoing and allow for open discussion with multiple stakeholders across the state. The next call will be held on 3/13/2020. Please monitor SCDSS social media for updated times and dial-in information.

Model Licensing Standards

In 2019, the Department drafted and filed proposed amendments to its foster family home licensing regulation. The amendments incorporated many of the model foster family home licensing standards proposed by the U.S. Administration for Children and Families/Children's Bureau. The amended regulation was submitted to the General Assembly for 120-day review in January 2020. Upon further consideration of the amendments, the Department decided to withdraw the proposed regulation. The Department will continue to collaborate with its child welfare services partners and plans to resubmit an amended regulation to the General Assembly in January 2021.

Kinship Care

On May 4, 2018, the Administration for Children and Families (ACF) announced a funding opportunity for the development, enhancement, or evaluation of kinship navigator programs. This grant would assist agencies in preparing to participate in newly authorized title IV-E kinship navigator funding options. In July 2018, SCDSS was awarded one of the kinship navigator grants. The funds from the grant are being used to raise awareness of kinship care through the development of outreach materials and community education, offer kinship care support groups, and to provide Attachment Regulation and Competency (ARC) training to kinship caregivers across the state. On October 16, 2019 the Department was awarded additional funds by the ACF to continue its development and evaluation of kinship navigator programs.

In April 2019, SCDSS interviewed kinship caregivers from across the state to inform enhancements to the existing kinship care programs. Following the interviews DSS formed an advisory panel to assist the agency in its ongoing kinship related endeavors. As of 11/11/19, members of the Kinship advisory panel have been integrated in various workgroups throughout the agency.

As of March 5, 2020, the Department is in the process of contracting with Children's Alliance to provide the Caring for our Own program for kinship caregivers. Title IV-E kinship navigator funding is also being utilized to build partnerships within the community to implement kinship caregiver support groups regionally and capacity building for the implementation of navigator services for kinship caregivers. On, 2/28/2020, the ACF published a Program Instruction for title IV-E kinship navigator funding for FFY 2020-2021. The Department is consulting with Annie E. Casey and Capacity Building Center for States regarding navigator services and will submit a funding request by 4/3/2020 to the ACF to fund the development and implementation of a statewide kinship navigator program.

Child Fatality

The Department has developed two strategies to enhance the accuracy of child fatality investigations and National Child Abuse and Neglect Data System (NCANDS) data reporting. First, SCDSS has a database to track all child fatalities occurring in South Carolina, that the agency is made aware of. This database allows for data collection around fatality trends in age, ethnicity, region, and contributing factors, as well as monitors the tracking of screening decisions and determinations. The database also serves as one method of tracking for the NCANDS Child Fatality reporting.

A dual-level review process will be implemented going forward to ensure accuracy in NCANDS reporting. Additionally, SCDSS's Child Fatality Unit has begun partnership with the SC Coroner's Association and the National Center for Child Fatality Review and Prevention to enhance the frequency, reach, and efficacy of Child Death Reviews.

0-5 Mental Health

SCDSS has been actively working to place children ages 0-5 in the least restrictive, most family-like settings, unless certain exceptions set forth in policy are met. SCDSS has been successful in this work and there are currently no children ages 0-5 placed in non-family-like settings, except those who meet qualifying exceptions

SCDSS has identified a statewide service array for children aged 0-5 and continues to partner with the South Carolina Infant Mental Health Association (SCIHMA) to advocate for the expansion of mental health services for infant and early childhood mental health.

To further improve evidence-based services for the states youngest and most vulnerable population, the Department has partnered with SCHIMA to increase referrals of DSS to Attachment Bio-Behavioral Catch-up (ABC) coaches. ABC is an evidence-based intervention that aims to help caregivers nurture and respond sensitively to their infants and toddlers to foster their development and form strong and healthy relationships. ABC coaches available in the Charleston, Columbia, Aiken, Rock Hill, and Greenwood areas. ABC is currently under review by the Title IV-E clearinghouse for FFPSA evidence-based practices.

Plan of Safe Care

To address FFPSA requirements around families and infants affected by substance use disorders, the Department published its Plan of Safe Care policy on October 1, 2018. As of November 1, 2018, statewide training is ongoing for staff on Plans of Safe Care and the risks of alcohol and substance abuse to unborn babies. This training is in the process of being revised and updated to include instructions on SACWIS entries to identify newborns between the ages of 0-12 months who have been affected by substance abuse and to track the number of Plans of Safe Care which are developed with a family.

The Department's child welfare staff will provide case management and coordinate with community service providers to ensure assessment, education and recovery supports are offered and developmental screening is considered for all children and families during pregnancy and up to one year after birth.

Completed Tasks

SCDSS's Child Fatality Unit has identified unsafe sleep and suicide as recurring causes of child fatalities in South Carolina. In partnership with SCDSS Staff Development and Training, the Child Fatality Unit has assisted with the development of a Safe Sleep web-based training module to be available as part of required ongoing training for SCDSS staff. A Suicide module will be developed as well.⁷

SCDSS has implemented changes to the Educational and Training Voucher (ETV) by modifying eligibility criteria to eliminate the need for enrollment in a postsecondary educational program prior to the 21st birthday and extended the age of eligibility from age 23 to age 26. Outreach efforts were initiated to notify eligible youth and providers of these changes.

SCDSS modified its John H. Chafee Foster Care Program for Successful Transition to Adulthood program by changing the age of eligibility from 13 to 14 years old, as required by FFPSA. These changes were reflected in agency procedure manuals and handouts. Eligible youth and providers were notified of changes to the program through outreach efforts.

SCDSS reviewed and reported on existing South Carolina Department of Health and Human Services (SCDHHS) and SCDSS policies surrounding the prevention of inappropriate diagnosis and placement of children and youth in appropriate settings.

On September 5, 2018, SCDSS implemented changes to the group home background check process. This process requires that any adult employed within a child-care institution must undergo a fingerprint-based criminal records check of the national crime information databases, including the child abuse and neglect registry checks.

Relevant policies and procedures have been modified to reflect the revised Title IV-E Adoption Assistance program eligibility rules included in FFPSA. All program staff responsible for determining program eligibility and providing program oversight have been trained on the revision in policy and practice.

In order to prepare for a thorough implementation of FFPSA, ensure a quality service array, determine and plan for future legislative changes, and await full guidance from the Children's Bureau, SCDSS has, at this time, decided to delay implementation until October 2021. DSS is excited about the opportunity to enhance prevention practice and work with internal and external partners to support the maintenance of family connections, improving overall well-being and permanency.

For any questions related to DSS's implementation status, please send submit all inquiries to FamilyFirstPSAinfo@dss.sc.gov