

# PUTTING FAMILIES FIRST: IMPLEMENTING THE FAMILY FIRST PREVENTION SERVICES ACT IN PENNSYLVANIA

The Family First Prevention Services Act (FFPSA) is historic child welfare legislation enacted in February 2018 as part of the Bipartisan Budget Act.<sup>1</sup> It fundamentally shifts the financing of the child welfare system to promote the use of front-end, evidence-based services to prevent the need for out-of-home placements, and places new limitations on reimbursements for placements that are not family-based placements, such as congregate care settings.



The Office of Children, Youth and Families (OCYF) within the Pennsylvania Department of Human Services is required to submit a 5-year Title IV-E prevention plan to the federal Administration of Children and Families (ACF) for review and approval to seek reimbursement of prevention provisions required by the law. **The effective date of the state's prevention plan for the FFPSA is October 1, 2021.**

OCYF has already implemented several pieces of the law, including how counties will adhere to its requirements, as Pennsylvania's child welfare system is state-supervised but county-administered – meaning each of the state's 67 counties will need to implement provisions. It should be noted that until this plan is formally approved by the federal government, the provisions are tentative and are subject to change.

## THE BROAD SCOPE OF FAMILY FIRST: ELEMENTS OF THE LAW

### *What to Look for in a Title IV-E Prevention Plan*

- ✓ New allowable Title IV-E funding to provide evidence-based services for up to 12 months for children at imminent risk of out-of-home placement, including pregnant and parenting youth, biological and adoptive parents, and kinship parents. Income requirements have been eliminated to qualify for these services, and states can seek reimbursement for training and other administrative costs.
- ✓ Federal reimbursement up to 50% for certain services that meet an evidence-based designation as researched and rated by the [Title IV-E clearinghouse](#) (the clearinghouse). Services must be rated as either well-supported, supported, or a promising practice, with the requirement for half of the services claimed to fall within the “well-supported” criteria.<sup>2</sup> Each of the services on the clearinghouse falls within the categories of in-home parent skill building, mental health, or substance use.

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### WHAT'S THE DIFFERENCE BETWEEN WELL-SUPPORTED, SUPPORTED, AND PROMISING PRACTICES?

- Well-supported (highest rating): Shows success beyond a year after treatment.<sup>1</sup>
- Supported (moderate rating): Uses a random-control trial or rigorous quasi-experimental design. Must have sustained success for at least six months after the end of treatment.
- Promising (lowest rating): Created from an independently reviewed study that uses a control group and shows statistically significant results.

- ✓ Candidate identification conducted through an assessment, and the oversight agency must have a prevention plan indicating that the child is at imminent risk of out-of-home placement and identify which services will be used for prevention efforts. OCYF has identified a candidate for placement as “a child that is determined to be at significant risk of entering foster care but can remain safely in the child’s home or an agreed-upon informal kinship placement with prevention services. This includes children who are at risk of a Permanent Legal Custodianship or adoption disruption and children placed in an informal kinship care.”
- ✓ A rigorous evidence-based fidelity monitoring process for states to demonstrate the positive outcomes of identified services. However, a waiver can be sought for services that are identified as “well-supported.” New data collection requirements are vital for the ongoing process of monitoring prevention practices.

### **Other Plan Elements of Note**

- ✓ Title IV-E foster care maintenance payments can be made for placements for a child placed in a **Licensed Family-Based Residential Treatment** program with a parent or caregiver for up to 12 months. Licensed Family-Based Residential Treatment programs provide on-grounds substance use treatment to parents while their children can live with them.
- ✓ A 50% Title IV-E reimbursement for **Kinship Navigator Programs** that meet evidence-based criteria. Kinship Navigator Programs are referral and resource connection programs provided to kinship caregivers who care for children either formally through the child welfare system or informally outside the system. It is important to note that no kinship navigator program has been rated and identified as an evidence-based service on the clearinghouse to date.
- ✓ Ability to amend and update **National Model Licensing Standards**, which are recommended criteria that family-based foster care homes must meet to ensure high-quality placements. The intent also is to eliminate arbitrary barriers that can disqualify kin from being considered or approved. States can waive certain non-safety standards to increase appropriate placement with kin.
- ✓ New procedures to **promote family-based, in-home placements**. Several types of placements qualify, with intricate details for such programs to qualify for federal funding. While the first option should be a kinship or foster home, often congregate care programs are a utilized placement. These programs include facilities for pregnant and parenting youth, supervised independent living for youth 18 years and older, specialized placements for youth who are victims of or at-risk of becoming victims of sex trafficking, and Qualified Residential Treatment Programs (QRTPs)
- ✓ Improving outcomes for **older youth in or transitioning out of foster care** by allowing states to extend aftercare services to older youth up to age 23, and extending the use of the Education and Training Voucher (often referred to as the college tuition waiver) up to age 26.



## How the Plan was Developed



OCYF convened several stakeholder teams and input sessions to develop plans for implementation of FFPSA, including the Family First Project Team, comprised of members of varying departments within the Department of Human Services, county child welfare agencies, providers, and advocacy organizations, among others.

Several subcommittees were also developed, similarly in the makeup of members, which included Prevention, Permanency, Older Youth, and Specialized Settings. The members were asked to provide valuable feedback and recommendations in response to the state's development of planning, and to conduct intersession research and review of information.



The Pennsylvania Child Welfare Council, consisting of more than 80 members including varying departments within the Department of Human Services, the legislature, child welfare agencies, providers, researchers, and advocacy organizations, also was an integral part of the FFPSA Title IV-E Prevention Plan development.

The newly created Bureau of Child and Family Services Family First Implementation Team will assist counties with implementing the provisions. Specially trained staff will help with building capacity with the regional office staff on increasing the use of evidence-based practices to meet specific population needs and monitor prevention plans and the development of CQI processes that integrate Family First strategies into existing protocols.

## THE SPECIFICS OF PENNSYLVANIA'S PLAN

A [Prevention Services](#) Bulletin issued by OCYF in June of 2021, which outlined candidacy definitions, identified evidence-based services that are Title IV-E eligible, how to assess and develop a formal prevention plan, and other factors, such as fidelity monitoring.<sup>3</sup> A substantiated finding of child abuse or neglect is not required to provide evidence-based services, and OCYF still promotes the use of other community-based or contracted services to mitigate risk and safety.

Pennsylvania's definition of a candidate for foster care is, "A child that is determined to be at significant risk of entering foster care but can remain safely in the child's home or in an agreed upon informal kinship placement with prevention services."

This includes four specific pathways:

1. A new referral for child abuse or neglect and the decision to accept the family for ongoing services.
2. A referral is investigated for child abuse or neglect but has been closed; however, there is still a need for ongoing services.
3. An active case for ongoing services, but a change in circumstances occurs.
4. A need for direct access in the community, absent of a specific referral to child welfare, and the services aim to prevent the need for out-of-home placement.

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**These evidence-based programs – including the specified ratings and program category – have been selected for inclusion in the plan:**

- Effective Black Parenting Program – not currently rated or identified on the IV-E clearing house, however, the state is seeking an evidence-based review and has identified the program as a promising practice.
- [Functional Family Therapy](#) (FFT) – well-supported, mental health
- [Healthy Families America](#) – well-supported, in-home parent skill building
- Home Builders – well-supported, in-home parent skill building
- [Incredible Years](#) (Toddler Basic and School-Age Basic) – promising, mental health
- [Multisystemic Therapy](#) (MST) – well-supported, mental health and substance use
- [Nurse-Family Partnership](#) (NFP) – well-supported, in-home parent skill building
- [Parents as Teachers](#) (PAT) – well-supported, in-home parent skill building
- [Positive Parenting Program](#) (Triple P; Level 4 Standard and Level 4 Group) – promising, mental health

County child welfare agencies can assess and identify children who are placement candidates through already identified mechanisms, such as the statewide safety assessment or risk assessment. The prevention strategy can also be built into already identified plans, such as the Family Service Plan or Child Permanency Plan.

Further, counties can contract with the identified evidence-based services to assist with a portion of or fully complete the assessment and development of the prevention plan. Data collection elements have been or will be built into these developed tools to eliminate the need for duplication of work and to streamline the process. OCYF plans to use a combination of state and county-level continuous quality improvement processes to measure the fidelity of these programs over time and will seek waivers for the programs that are identified as well-supported. OCYF has indicated it is seeking waivers for six of the nine identified programs: Functional Family Therapy, Healthy Families America, Homebuilders, Multi-Systemic Therapy, Nurse-Family Partnership, and Parents as Teachers.

Other provisions addressed (or not) in Pennsylvania's plan include:

- *Licensed Family-Based Residential Treatment:* Pennsylvania has decided not to opt into these provisions at this time. It is important to note that despite the decision not to adopt the provisions, these programs currently operate in Pennsylvania and are accessible to parents and caregivers through other funding mechanisms.
- *Kinship Navigator Program:* Pennsylvania's established program, [KinConnector](#), has been operational since 2019.<sup>4</sup> While the program has not been researched or reviewed for evidence-based criteria, other federal funding support has been used to support the program.
- *National Model Licensing Standards:* [Title 55, Chapter 3700](#) regulations outline licensing requirements for foster and kinship care in Pennsylvania.<sup>5</sup> Work was convened to recommend which regulations to modify, but there have been no revisions formally advanced to date. A formal [waiver bulletin](#) was developed and made publicly available.<sup>6</sup>

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- *Specialized Settings:* Pennsylvania has opted to identify and certify congregate care programs serving pregnant, parenting, and expecting youth, supervised independent living for youth 18 years and older, and specialized placements for youth who are victims of or at-risk of becoming victims of sex trafficking as “specialized settings.” As identified in the [Specialized Settings Bulletin](#), programs that meet specific criteria can self-identify and be certified by OCYF.<sup>7</sup> It was decided not to implement provisions of Qualified Residential Treatment Programs at this time.
- *Improving Outcomes for Older Youth:* Counties were notified in 2020 that they could extend aftercare services to youth up to age 23 and extending the use of Education and Training Vouchers to age 26.

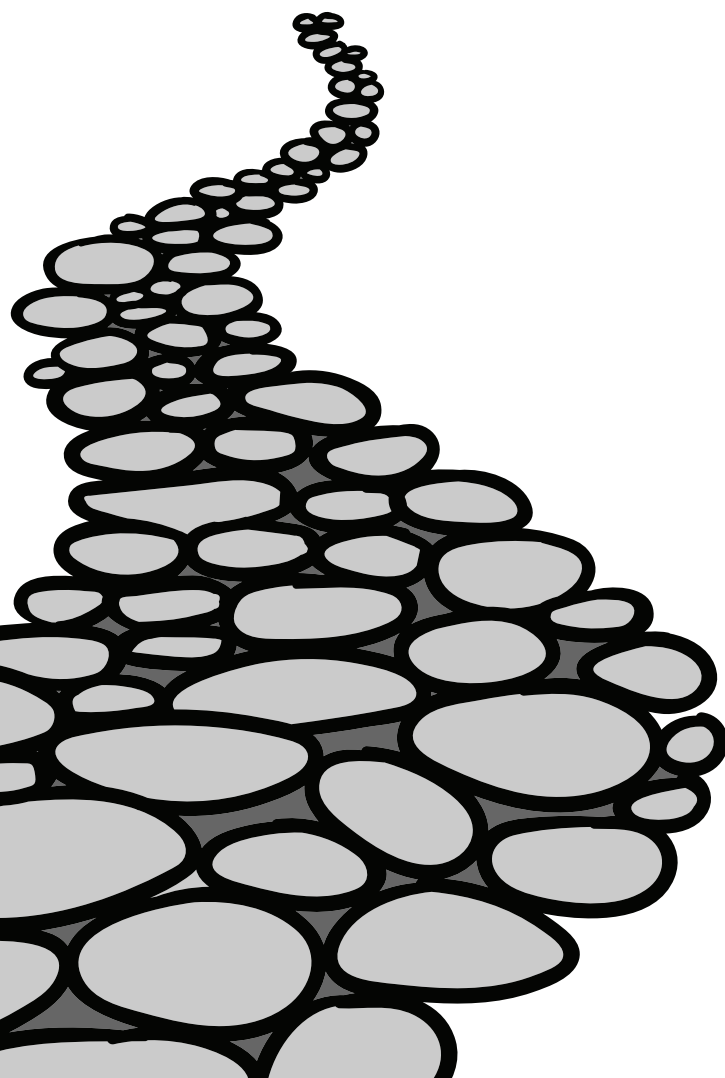
Additionally, [Act 16 of 2019](#) amended the school code to create the Fostering Independence through Education Program, formally implementing a tuition waiver and extending the age for use to age 26.<sup>8</sup>

- *Workforce Training and Caseload Reduction:* OCYF intends to implement strategies to support the county agencies and staff in successfully implementing the prevention provisions, including folding provisions of the prevention plan into the caseworker certification series with enhanced training in overall prevention and trauma-informed care. Other supportive practices will include revising current regulations to reduce the ratios of caseworkers to supervisors, and the number of caseloads that caseworkers can hold.

## NEXT STEPS FOR PENNSYLVANIA'S PATH TO PREVENTION

Once Pennsylvania's 5-year Title IV-E prevention plan is formally approved by the federal government, OCYF and its regional offices will continue to work with county child welfare agencies to ensure the effective implementation of the plan. The plan may need to be modified or additional guidance and technical assistance might be offered so that the vision of the law is fully realized and implemented with fidelity.

Pennsylvania Partnerships for Children looks forward to continuing to partner with OCYF and child welfare agencies in meeting the goals of Family First to build upon strategies to prevent child maltreatment, keep children safe, support family stability, and ensure that if placement is necessary, that it is the most appropriate setting to meet their needs.



## SOURCES

- 1 <https://www.congress.gov/bill/115th-congress/house-bill/1892/text>
- 2 <https://preventionservices.abtsites.com/>
- 3 [https://www.dhs.pa.gov/docs/Publications/Documents/FORMS%20AND%20PUBS%20OCYF/OCYF%20Bulletin%203680-20-02\\_3800-20-03\\_Specialized%20Residential%20Settings%20for%20Children%20and%20Youth\\_issued021420.pdf](https://www.dhs.pa.gov/docs/Publications/Documents/FORMS%20AND%20PUBS%20OCYF/OCYF%20Bulletin%203680-20-02_3800-20-03_Specialized%20Residential%20Settings%20for%20Children%20and%20Youth_issued021420.pdf)
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