



Setting the Stage: A New Era for Child Welfare



<https://bit.ly/NCSLCWF2023>

NCSL Child Welfare Fellows | June 26, 2023



SETTING THE STAGE: A NEW ERA FOR CHILD WELFARE

Krista Thomas, PhD
Senior Policy Fellow,
Chapin Hall

Amy McKlindon, LMSW
Research Scientist II,
Child Trends

 **CHAPIN HALL**
AT THE UNIVERSITY OF CHICAGO

 **Child Trends.**

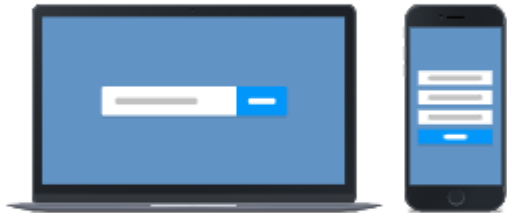
CHILD WELFARE FELLOWS CONVENING | NASHVILLE, TN

JUNE 26, 2023

Poll Everywhere

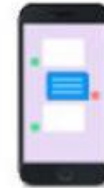
How to join

Web



- 1 Go to **PollEv.com**
- 2 Enter **BETHJORDAN645**

Join by Text



- 1 Text **BETHJORDAN645** to 22333
- 2 Text in your message

When you think about child welfare and maltreatment prevention, what goals or hopes come to mind? Keep your answer to 1 or 2 words.

When you think about child welfare and maltreatment prevention, what challenges come to mind? Keep your answer to 1 or 2 words.

Policy Milestones: Establishing the current child welfare system

Mother's Pensions

Provided aid via cash payments primarily for White widows with young children.

Early 1900s

Flemming Rule (FR)

Implemented in response to states denying ADC benefits to families, mostly Black, because their homes were deemed "unsuitable." It required states to either 1) provide supports to these families OR 2) remove the children and place them in foster care.

1960

CAPTA

First major federal legislation addressing child abuse and neglect. Required states to establish reporting and investigation procedures. Resulted in many unsubstantiated reports and an increase in children in foster care.

1974

Adoption Assistance and Child Welfare Act

Landmark legislation establishing federal oversight responsibilities and required states to make reasonable efforts to keep families together and reunify timely if separation occurred.

1980

Family Preservation and Support Program

Program established in response to concerns that insufficient efforts were being directed toward family preservation and reunification

1993

Fostering Connections to Success and Increasing Adoptions Act

Designed to promote permanency by establishing the option of subsidized guardianship for kin caregivers, provide option for states to extend foster care to age 21, increased supports for older youth, and allowed Tribal title IV-E programs.

2008

1935

Social Security Act

Authorized the first federal grants for child welfare purposes.

1961

Social Security Act Amendments

Enabled states to receive federal matching funds for costs associated with foster care placements.

1978

Indian Child Welfare Act

Enacted in response to Native children being removed from their homes at higher rates than non-Native children. Governs the removal and out-of-home placement of Native children and requires "active efforts" to prevent removal.

1997

Adoption and Safe Families Act

Encouraged innovative efforts by states to focus on safety, permanency, and well-being. A specific focus was placed on expediting permanency decisions.

2018

Family First Prevention Services Act

Landmark legislation that made federal reimbursement possible for the cost of evidence-based prevention services for identified candidates and their families, implemented congregate care restrictions, and invested in kinship navigation services.



Title IV-E of the Social Security Act

Largest federal funding stream for child welfare activities

FY2023 total estimated expenditures are \$12B across all service categories

- Foster care ~\$6B
- Adoption and guardianship assistance \$4,473M
- Prevention services \$183M

(Congressional Research Services, 2023)



Family First

*Transforming child welfare to
achieve better outcomes for
children and families*



Leveraging Family First to Promote Child Welfare System Redesign

Prevention

**Evidence-Based
Programs**

**Reducing
Congregate
Care**

**Supporting
Kin
Caregivers**

Federal Reimbursement for Evidence-Based Prevention Services



**In-home parent
skill-building
and
development**



**Substance abuse
treatment &
prevention**



**Mental health
treatment**

Family First: Tensions in Prevention

OPPORTUNITIES

- ✓ **Transform** the child welfare focus from foster care to prevention, increased family stability, and well-being
- ✓ **Invest** in evidence-based interventions
- ✓ **Apply** a trauma-responsive lens to the continuum of prevention services
- ✓ **Partner** across systems to align prevention efforts
- ✓ **Scale** up prevention services and de-scale foster care
- ✓ **Build** child welfare and community capacity to serve families

- **Imminent risk** language can be prohibitive to upstream engagement of families
- Eligible prevention services focus solely on **perceived family deficits** and not necessarily the root causes of family stressors and risk of child welfare involvement (e.g., poverty); gaps in approved, **culturally responsive programs**
- Defaults to the **traditional child welfare paradigm** (though there are opportunities to think beyond it!)
- Logistical challenges, including state agency **data capacity** and provider **billing** across funding sources

CHALLENGES

State Activity

Title IV-E Five-Year Prevention Plans – Status update



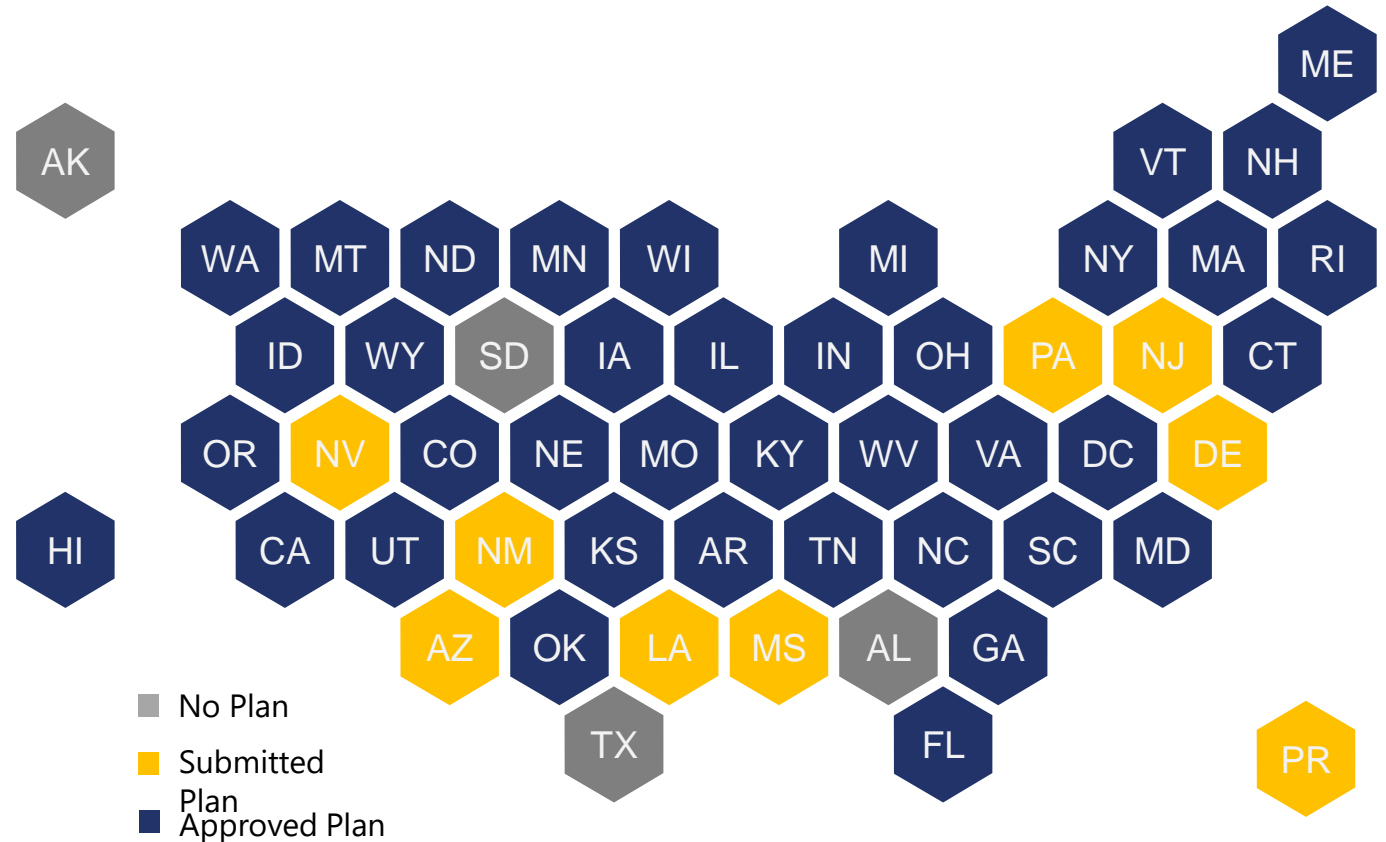
Submitted

46 states, the District of Columbia, Puerto Rico, and four tribes have submitted their plans



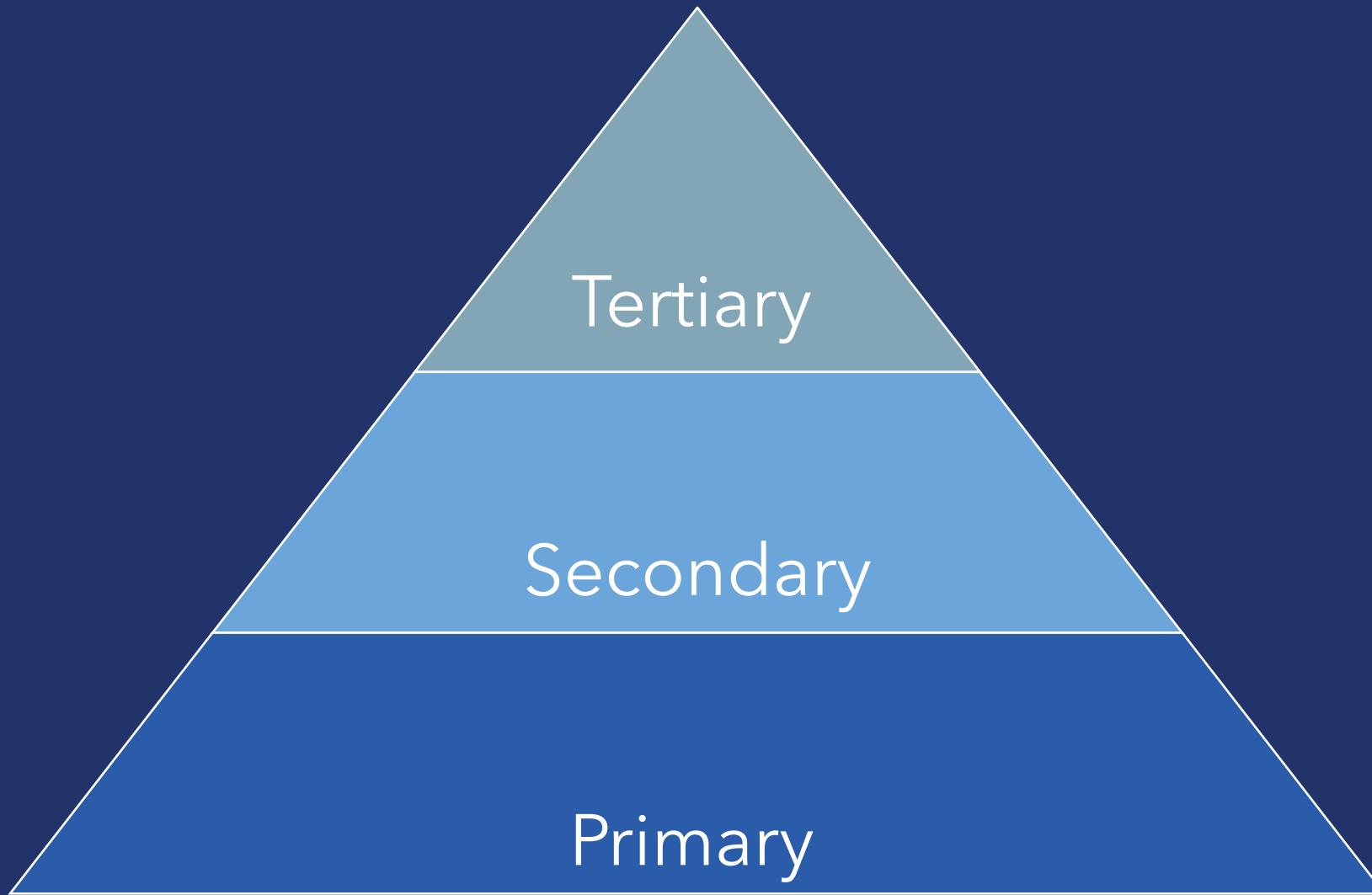
Approved

38 states, DC, and the Cherokee Nation, Eastern Band of Cherokee Indians, and the Salt River Pima Maricopa Indian Community plans have been approved



Advancing Prevention





Prevention

Collaboration is essential

- Shared language and priorities
- Intentional, transparent communication
- Dedicated time and resources
- Data sharing infrastructure

Nebraska: LB 1173 (2022) requires collaboration across agencies and the three branches of government

South Carolina: Statute mandates agency leadership participation in Early Childhood Advisory Council and parent participation on local First Steps boards



Funding prevention

OPPORTUNITIES

States are blending and braiding a wide variety of funding sources:

- ✓ Federal
- ✓ State
- ✓ Philanthropy

CHALLENGES

Availability and flexibility of funding sources



Colorado: Budget line item for family preservation serves as a key prevention funding source



Kentucky

State Spotlight

Community Pathways to Prevention Services in the Context of Family First





Building Community Pathways

- **Flexibilities exist** around defining candidates for prevention services and the context in which they receive and are connected to evidence-based prevention services (EBPs)
- A growing number of states are **reconceptualizing** their prevention continuum, the role of community agencies, and the family service experience

Operationalizing a Community Pathway

- A “community pathway” is **any avenue that families can use to access title IV-E funded prevention services through Family First *outside* of the traditional child welfare** service delivery & case management context
- **Who provides service delivery & case management in a community pathway?** Options include but are not limited to:
 - Contracted community-based agencies (*e.g. family resource centers*)
 - Specific evidence-based prevention service providers (*e.g. home visitors*)
 - Non-child welfare public agency partners (*e.g. Departments of homelessness, behavioral health, public assistance, etc.*)



Benefits and Opportunities

- **Increased investment** in community capacity to engage and serve families, leveraging state and federal funds
- Prevention services provided to families through **trusted community entities**
- Family prevention service experience **outside** of the traditional child welfare paradigm
- **Flexibility** in how community pathways can be conceptualized and implemented toward a reduction in the CPS footprint in families' lives
- **Stronger partnerships** between child welfare agencies, community entities, and providers of evidence-based services

Challenges and Tensions

- **Optimizing flexibility** within the Family First legislative framework
- Increasing access to prevention services **without increasing surveillance** or facilitating unnecessary child welfare system involvement
- **Balancing** data reporting requirements and family consent and privacy
- **Maximizing community agency** while maintaining required functions of the state title IV-E agency
- **Building community infrastructure and capacity** to perform required care, coordination and data functions

State-level data: Maltreatment



- Referrals
- Investigations
- Children who were maltreated (age, race/ethnicity, type)
- Service receipt

<https://www.childtrends.org/publications/state-level-data-for-understanding-child-welfare-in-the-united-states>

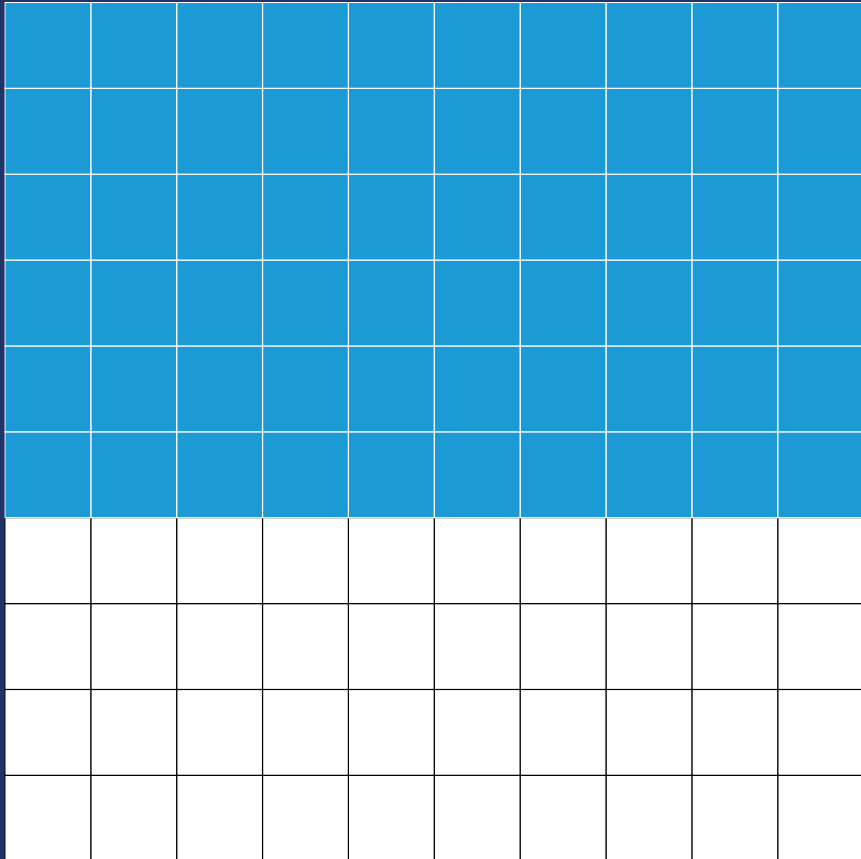


- Definitions of abuse/neglect
- Reporting policies
- Screening policies
- Investigations policies
- Child welfare responses
- Child welfare context

www.scanpoliciesdatabase.com

Economic & Concrete Supports





60%+

of substantiated CPS responses nationally involve **neglect only**

...and provision of economic & concrete supports is associated with decreased risk for *both* neglect and physical abuse

nearly **85%**
of families investigated by
child protective services
earn below 200% of the
federal poverty line

(\$43,920 for a family of 3 in 2021)

almost 70%

of families with incomes below 200% of the federal poverty line report experiencing a **material hardship** in the past year

(difficulty paying for housing, utilities, food or medical care)

Of these families:

61% experienced a **financial shock** in the past year

Material Hardship Increases Risk for Child Welfare: Both Neglect & Abuse

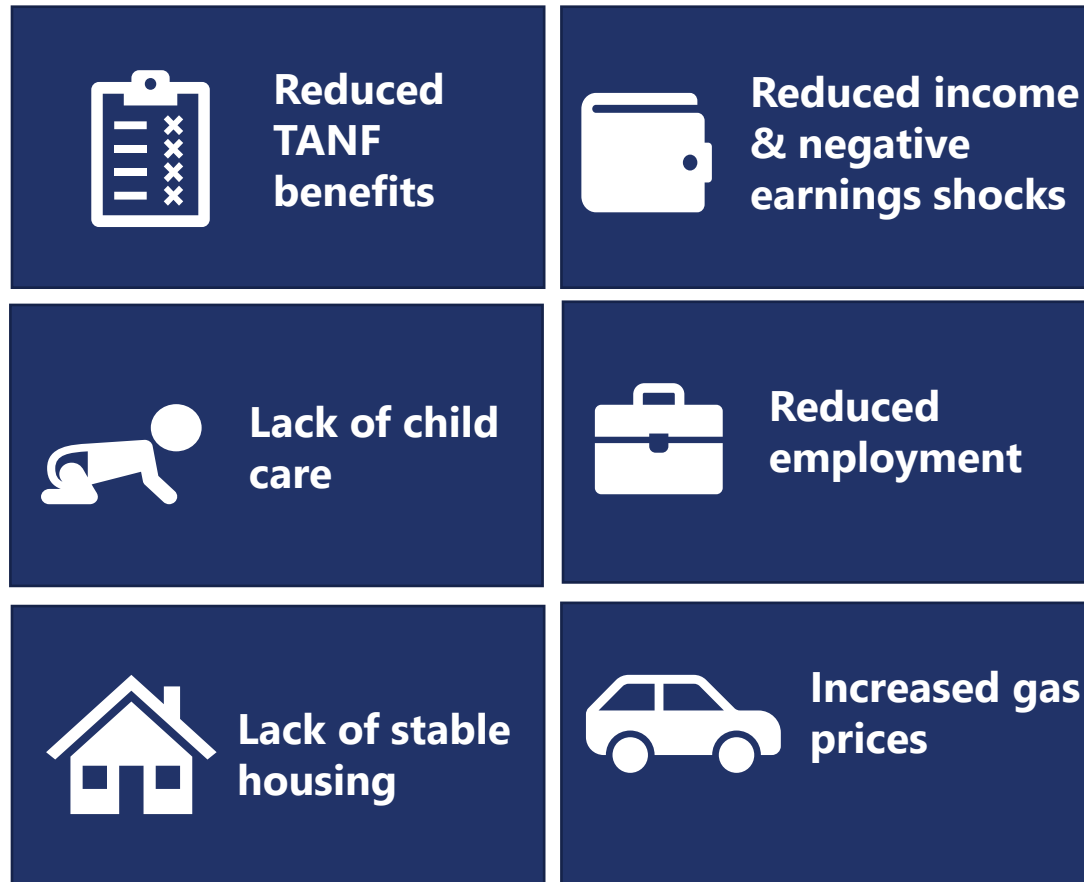
If low-income families experience **at least one** material hardship

- ~3x higher likelihood of neglect investigation
- ~4x higher likelihood physical abuse investigation

If low-income families experience **multiple types** of material hardship
(after experiencing no hardships)

- ~4x higher likelihood of CPS investigation
- ~7x higher likelihood physical abuse investigation

Decreased Access to Economic & Concrete Supports Is Associated with Increased Child Welfare Involvement



**Increased risk
for child
welfare
involvement**

(Ginther, 2017) (Ginther, 2022) (Paxson, 2003) (Yang, 2016) (Cash, 2003) (Klevens, 2015) (Brown, 2020) (Berger, 2011) (Warren, 2015) (Cai, 2021) (Weiner, 2020) (McLaughlin, 2017) (Bullinger, 2021) (Berger, 2015) (Frioux, 2014) (Wood, 2012)

Increased Access to These Economic & Concrete Supports Is Associated with Decreased Risk for Child Welfare Involvement

Macroeconomic Supports



- Tax credits (EITC & CTC)
- Employment
 - Minimum wage
 - Paid family leave
 - Unemployment benefits

Concrete Supports



- Healthcare (Medicaid)
- Child care
- Housing

Child Welfare Interventions with Economic & Concrete Supports



- Differential response
- Family preservation

Public Benefits



- Overall state spending on benefits
- TANF
- SNAP & WIC



Pair & Share

**Family First --
Reducing Congregate Care**

Ensure Appropriate Placements

- Family First restricts use of federal dollars for institutional placements
- Federal reimbursement primarily available for:
 - Children whose assessment indicates their clinical needs are best met in a residential treatment setting
 - Facilities that meet the *Qualified Residential Treatment Program* (QRTP) criteria
 - ✓ Provider accreditation
 - ✓ Assessments by Qualified Individuals
 - ✓ Court reviews in 60 days
 - ✓ Availability of licensed nurses/clinicians
 - ✓ Family and youth engagement
 - ✓ Trauma-informed treatment model
 - ✓ Discharge and after care



Create Responsive Placement Arrays

- ✓ **Improve** quality of treatment settings to better address child needs
- ✓ **Build** an effective array of family-based placements (including kin), treatment foster care, and community supports to meet treatment needs and promote placement stability
- ✓ **Increase** access to evidence-based prevention services to address conditions in advance that may lead to congregate care placements
- ✓ **Prevent** inappropriate increases to the juvenile justice population and inappropriate clinical diagnoses
- ✓ **Provide** aftercare services to promote on-going stability and success
- ✓ **Expand** business models of placement providers beyond group care

Kinship Supports



Family First Elevates Kin Caregivers

- Identifies kin caregivers as eligible recipients of prevention services
- Allows federal reimbursement for evidence-based kinship navigator services
- Calls for increased foster care placements with families and reduced reliance on congregate care



Opportunities to Better Resource Informal Kin Caregivers

For every 1 child being raised by kin in foster care, there are 18 children being raised by kin outside of foster care.

(Generations United, 2022)





Well-Supported Kinship Caregivers...

- Promote maltreatment prevention and reduce entries into foster care
- Increase stability and well-being for children and youth when foster care is necessary
- Reduce the need for congregate care when responsive services and supports are available to kin caregivers and the children and youth in their care
- Provide permanency and family connections when reunification is not possible

Kinship Policy Survey: 2022



Growth in policies to support kin since 2007



Less formal child welfare involvement typically means less access to services and resources



Kinship diversion policies and related resources vary widely



States seek to advance equity through kinship care policies



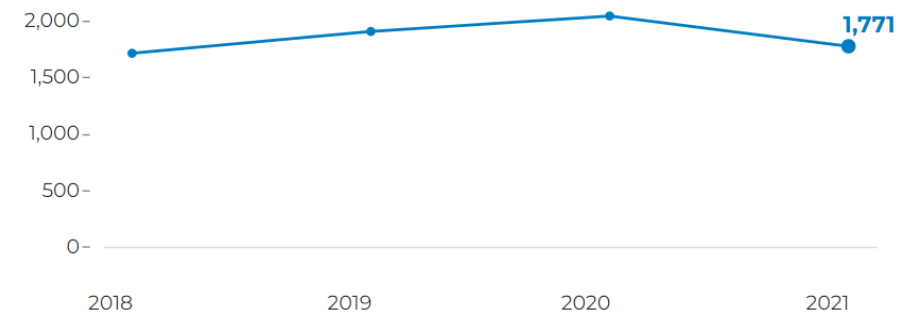
California: SB 354 (2021) allows waiver for some previously “non-exemptible” convictions for relatives seeking licensure.

State-level data: Kinship Care

- Placement with relatives
- Guardianship
 - Funding
- Adoption by relatives
- All available by age and race/ethnicity

Number and percentage of children in foster care placed with relatives

Number of children in foster care placed with relatives¹



Percent of children in foster care placed with relatives

	Tennessee	U.S.
2018	12%	30%
2019	13%	30%
2020	14%	31%
2021	12%	32%



TRANSITION- AGE YOUTH



Transition-Age Youth

Education and career
pathways

Well-being

Relationships



Youth Engagement

State-level data: Transition-Age Youth



- Foster care entries (reason, race/ethnicity)
- Youth in care (race/ethnicity, length of stay, placement setting and stability)
- Youth exiting care (race/ethnicity, outcomes, supports)

- Similar data on entries, youth in care, and youth exiting care
- Young people in extended foster care
- Transition services
- Outcomes (e.g., education, housing)

<https://www.childtrends.org/publications/state-level-data-for-understanding-child-welfare-in-the-united-states>

<https://www.aecf.org/resources/fostering-youth-transitions-2023>



Illinois

State Spotlight

Questions and discussion



🌐 When poll is active, respond at pollev.com/bethjordan645

📱 Text **BETHJORDAN645** to **22333** once to join

Which topic would you like to discuss more during this session?

Leveraging the Family First Act

Developing community pathways

Connecting families to economic supports

Supporting kinship care

Supporting transition-age youth

Another area we haven't discussed yet

Speaker contact information

Krista Thomas
Senior Policy Fellow
847-372-3895

kthomas@chapinhall.org



Amy McKlindon
Research Scientist II
240-223-9352

amcklindon@childtrends.org

