
Charlie Crist, Governor
George Sheldon, Secretary

Making the IV-E Waiver Even Better!

2010 Dependency Summit
August 24 - 26, 2010
Orlando, Florida
Overview of Presentation

• Waiver phase 1
• Waiver phase 2
• Potential non-waiver improvements to child welfare
• Implementation of Fostering Connections Act
  – Extension of foster care.
  – Redesign of Services to Young Adults Formerly in Foster Care.
  – Guardianship Assistance Program
Title IV-E Waiver

The Waiver in brief

• The waiver allows federal foster care funds to be used for a wide variety of child welfare purposes rather than being restricted to out-of-home care, as is normally the case under title IV-E of the Social Security Act.

• This permits funds to be used for child welfare services including prevention, diversion from out-of-home placement through intensive in-home services, reunification, when this can be accomplished safely and permanency as well as for foster care.

• The State will receive a defined amount of federal funds for foster care over a five year period.

• Adoption assistance funds will continue to be received on a federal/state matching basis.

• Savings in federal, state or local funds must be used to further provision of child welfare services.

• An independent evaluator will assess the effectiveness of the demonstration based on program outcomes.

Key Advantages

• The demonstration puts funding incentives in line with program goals and good practice. For children who can safely remain in their home with appropriate services or be returned home through appropriate reunification services, this can provide an alternative to children entering or remaining in expensive out-of-home care.

• For children who can not safely remain in the home or return home, the focus should be on moving the children towards permanence through adoption or other appropriate alternative.
A Continuum of Services & Funds
Pre-Waiver

From:
Money Follows the Federal Requirements

Prevention  In-Home Services  Other Out-of-Home Care  Relative Caregiver  Services toward Adoption and Other Permanency Options

IV-E Foster Care  IV-E Adoptions

Reunification  Permanency
A Continuum of Services & Funds Waiver

To:
Money Follows the Child

Prevention
In-Home Services
Other Out-of-Home Care
Relative Caregiver
Services toward Adoption and Other Permanency Options
IV-E Foster Care
IV-E Adoptions

Reunification
Permanency
Funding

- The waiver has provided fixed, stable funding based on cost-neutrality – what the state would have spent in the absence of the waiver.

- The waiver terms established a reasonable ceiling for federal funds for adoption assistance designed to continue to encourage adoption through a matching federal/state funding arrangement.
Federal Foster Care Funding Under the IV-E Waiver

Note: FFY 2009, 2010 and 1st quarter 2011 include additional funds due to temporary Recovery Act increase. FY 2011 Q2 & Q3 reflect reduced increase.
Adoption Assistance
Cost Neutrality Threshold Under the IV-E Waiver

Cumulative Threshold
$547.25 million


Threshold
Actual & Estimated

$280.2
$205.6

0  100  200  300  400  500  600

Children in Out-of-Home Care

September 30, 2006 to April 30, 2010

29,255

Down 36%

18,700
Pause, Plateau or Danger Sign?

What is different about 2010 compared to 2009 and 2008?
Adoptions Finalized
Cumulative by State Fiscal Year

3,777 Adoptions Finalized by 6/30/2009

3,674
3,368
Child Safety Indicator
Absence of Recurrence of Abuse

93.3% National Average 2008

2005: 88.7%
2006: 89.1%
2007: 94.4%
2008: 93.5%

Child Maltreatment Annual Report 2008
Florida’s IV-E child welfare waiver is being evaluated by the Florida Mental Health Institute at the University of South Florida.

The evaluation design is centered around four hypotheses:

1. Fewer children will need out-of-home care.
2. There will be improvements in child outcomes, including permanency, safety, and well-being.
3. The waiver will lead to changes in or expansion of the existing child welfare service array based on the unique needs of communities.
4. There will be a decrease in the proportion of expenditures on out-of-home care and an increase in the proportion of expenditures on prevention and in-home services.
Findings To Date

• Since Waiver implementation during SFY 06-07, the number of children served (both in-home and out-of-home) has decreased by 29%. Specifically related to this hypothesis, there has been a significant reduction (27.6%) in the average number of children served in out-of-home care during this period.

• Compared with SFY 07-08, there was a significant increase in the number of children reunified or placed with relatives. Among youth that exited care during SFY 07-08, the average proportion of children who reentered out-of-home care within 12 months after their discharge was 9.6%, indicating a significant reduction when compared to SFY 06-07.

• Since implementation of the IV-E Waiver, all of the CBC lead agencies have reported an expansion of their service array. In addition, several innovative practices were identified that have been implemented or expanded since the Waiver.

• There have been notable changes in the composition of spending statewide since the Waiver was implemented. Total spending on front-end services has increased dramatically from pre-Waiver to the second full year after Waiver implementation. After adjusting for inflation, front-end service expenditures nearly doubled during that time, rising from 3.3% of total expenditures in SFY 05-06 to 6.1% in SFY 08-09. Additionally, licensed out-of-home care expenditures have steadily decreased since Waiver implementation, both in total and compared to relative spending on front-end services.
The Bottom Line

Significant Ratio Change

Ratio of out-of-home care expenditures to prevention/ family preservation/ in-home expenditures


Note:
Savings are required to be reinvested in child welfare.
Innovative Practices

Examples of many…

- **Family Connections** - Expanded use of family team conferencing and other family-centered practices.
- **Peaceful Paths** - Expanded and enhanced domestic violence prevention.
- **Family Finding** - Expanded use of Family Finding to improve permanency.
- **Resource/ Diversion Specialists** to provide protective investigators with immediate services to prevent the need for removal.
- **Foster Parent Mentoring** and other strategies to improve recruitment and retention of foster parents.
- **Parenting with Love and Limits** – parenting skill development to improve family functioning for families with children between age 10 and age 18 with extreme emotional or behavioral problems.
Waiver Phase 2

• On July 23, Florida sent a formal request to HHS requesting a 5 year extension of the Waiver – from October 1, 2011 – September 30, 2016.

• Elements of the request include
  – Much of the same “success” data contained earlier in the presentation.
  – Request for extension under the same terms and conditions.
  – Statement that it is Florida’s view that any implementation of the Fostering Connections Act would be outside the Waiver, thus, can be charged to Title IV-E separately for additional federal earnings.
  – Future evaluation should focus on more detail around specific, effective services on the front end, as well as strategies for reducing specific sub-groups in out of home care.

• We expect dialogue to begin soon regarding the renewal.
The Future

IV-E Waiver Extension with full implementation of Fostering Connections options

<table>
<thead>
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<th>Future</th>
<th>Current</th>
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<td>Foster Care</td>
<td>Adoption Assistance</td>
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<td>- Defined federal funding</td>
<td>- Matched funding with aggregate federal cap.</td>
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<td>- Savings invested in child welfare</td>
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<tr>
<td>Extended Foster Care</td>
<td>Guardianship Assistance</td>
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<tr>
<td>- Matched funding outside of defined funding.</td>
<td>- Matched funding outside of aggregate cap.</td>
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Extended Foster Care

- Options include extension to age 19, 20, or 21.
- States must explain rationale if extension is to age 19 or 20.
- Independent Living Redesign Group recommendations consistent with this option (with some terminology changes).
- Option includes potential to draw down additional federal funds by repositioning existing state funds.
Extended Foster Care

Your Questions?

• What would you see as the key advantages to extending foster care beyond age 18?
• What would you see as the key disadvantages?
• What considerations should we build into future analysis of this option?
Support for Older Youth

Independent Living Workgroup

- Recommendations are consistent with Act
- Require all youth who choose to participate and who have not received a high school diploma or GED to be in supervised settings (this is, in effect, extension of foster care).
- Allow youth who have completed high school to move to independent living arrangements if they show fiscal responsibility (this is almost identical to current RTI/ETV).
- Continue “safety net” supports for youth who struggle (referred to as Bridge Supports).
Support for Older Youth

Many Questions...

• Can we afford it?
• If implemented, will current RTI participants with no high school diploma be grandfathered in (i.e. allowed to continue to live independently) or be required to enter a supervised setting?
• What will be the most likely living arrangements for supervised settings and how do we ensure enough capacity?
• What additional workload will result for case managers, and for the courts?
Incentives and assistance for adoption

• De-link adoption assistance from Aid to Families with Dependent Children
  – Over 9 years beginning October 1, 2009, and starting with 16-17 year olds, income requirements are ignored for purposes of determining IV-E Adoption Assistance eligibility.
  – Bottom line – Title IV-E penetration rate will increase, so will federal earnings. The Act requires that these additional earnings be invested in services.

• Extension/expansion of adoption incentives
  – Extended Adoption Incentive Award (which was set to expire) and updates baseline year. Will this mean more bonus for Florida?

• Informing parents of the adoption tax credit
  – Requires states to inform any individual who is adopting, or whom the state is made aware is considering adopting, a foster child of their eligibility for the adoption tax credit.
Guardianship Assistance

- Guardianship Assistance is like Maintenance Adoption Assistance for guardians who are kin.
- States have options to define kinship relationships (including “fictive” kin).
- Would gradually replace current TANF-funded Relative Caregiver Program.
- Requires licensure of kin.
Guardianship Assistance

What the Act Says

• Federal reimbursement for ongoing assistance payments made on behalf of children who exit foster care to guardianship with a relative.

• To be eligible, a child:
  – must reside with the prospective relative for at least six consecutive months and be eligible for IV-E payments while in the relative's home (i.e. the relative must be licensed).
  – Must meet criteria that if "being returned home or adopted are not appropriate permanency options for the child."

• The amount of a kinship guardianship assistance payment "shall not exceed the foster care payment which would have been paid on behalf of the child if the child remained in a foster family home."
Guardianship Assistance

What the Act Says

• Includes **case plan requirements** that require states to document "the steps that the agency has taken to determine that it is not appropriate for the child to be returned home or adopted" and "the efforts the agency has made to discuss adoption by the child's relative foster parent as a more permanent alternative to legal guardianship."

• Youth age 14 or older **must be consulted** before being placed in the kinship guardianship arrangement.

• Children receiving federal kinship guardianship assistance are categorically **eligible for Medicaid** coverage.

• Permits placement of a **sibling(s)** of an eligible child in the same kinship guardianship arrangement and to make guardianship assistance payments on behalf of those siblings.
Guardianship Assistance

What the Act Says

Foster care licensing standards

• States may waive non-safety-related foster care licensing standards on a case-by-case basis for kin seeking to become foster parents.

• States that the non-safety standards are "as determined by the state."

• Clarifies that neither the Act nor any previous legislation or regulation prohibits states from using unlicensed kin to care for children in state custody. However, states using unlicensed kin may not seek federal reimbursement under Title IV-E for children placed in such care.
The Basic Math
(Highly Simplified)
Guardianship Assistance

Initial Thoughts on Program Design

- Think of GAP as **Maintenance Adoption Subsidy (MAS) for relatives**, or GAP/MAS.
- Existing Relative Caregiver Program (RCG) eliminated (except for attrition), funding shifted to new program, primarily for match to federal funds.
- As soon as child is placed with relative, work will begin towards licensing so that relative can receive regular foster care benefits regardless of ultimate disposition of case.
- If relative does not wish to be licensed, child only benefit is still an option (though lesser amounts than existing RCG).
- If child is not reunified, relative will have likely met 6 month requirement and be eligible for GAP/MAS.
- **Significant change to foster home licensing** requirements required.
Guardianship Assistance

Some Initial Questions

• Can we afford it?

• **What is likely participation?** Current RCG participation is less than half of total relative placements – why is this and would new program result in different participation? Higher or lower?

• How much of an impact does Child Support Enforcement have on willingness to participate and does that look different as foster care opposed to current RCG program (i.e. is pursuit more or less diligent)?

• Act states that dual licensing standards may not be created - how to streamline licensure for relatives, but not create dual standards.

• Data shows that there is a lot of “churning” of RCG caseload for cases that are closed in FSFN – why is this and is it a predictor of future behavior?
Guardianship Assistance

Your Questions?

• What do you see as the key advantages to implementing Guardianship Assistance?
• What do you see as the key disadvantages?
• What considerations should we build into future analysis of this option?
Opportunities for Feedback

• Steering Committee
  – Policy Development
  – Finance Committee
  – Marketing / Communication Committee
  – Comprehensive Project Plan
• Program Office Policy Committees
• Secretary Sheldon meeting with young adults and other stakeholders
• Program leadership continuing to consult with stakeholders.
Steering Committee

- Alan Abramowitz
- David Bundy
- Glen Casel
- Debra Ervin
- David Fairbanks
- Melissa Jaacks
- Steven Murphy
- Jeff Rainey
- Dee Richter
- Teri Saunders
- Don Winstead
- Darrell Zabaldo
- Ron Zychowski